# PLANTATION LABOUR IN INDIA

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# PLANTATION LABOUR IN INDIA

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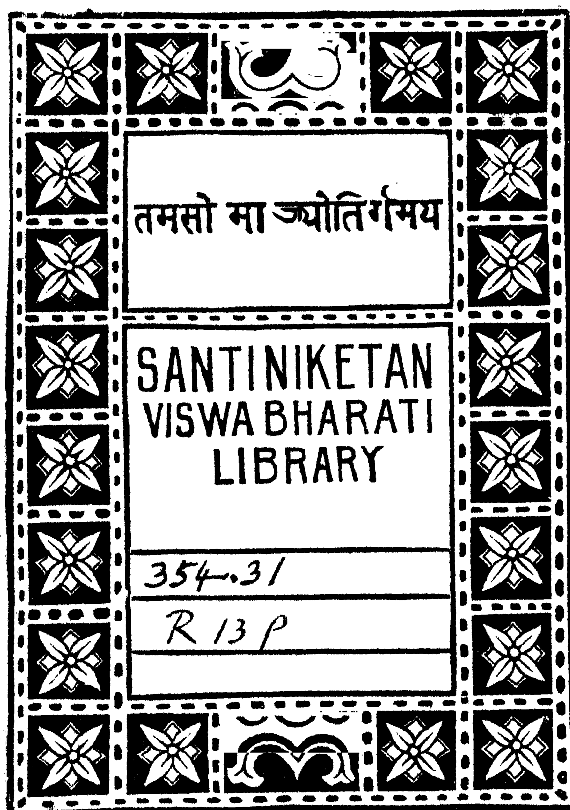
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*To*

Rajani Nath Mojumdar, Esq.,

*A generous friend since early youth*

# PREFACE

*Plantation Labour in India* is a study in the rise, growth, condition and problem of the workers employed on various plantations in India, especially on the tea-gardens in Assam. The main object of the study is a critical analysis of the work and life of the labourer with a view to ameliorating their condition. A brief survey has, however been made of the conditions and prospects of the industry, which is a means of livelihood to a considerable number of the people and a source of income to the nation. Moreover, suggestions have been made for formulating a social policy towards the vast labour population, of which plantation labour is only a part and upon the moral and material development of which depends India's social progress.

As indicated in his other works, the author came to the study of the human factor in production in his search after the elements constituting industrial efficiency, and labour in organized industries, such as plantations and factories, gave him an excellent opportunity to that effect. A considerable amount of material on plantations had, in fact, been already gathered in connection with a survey of Indian agriculture in 1912, and after the completion of the monograph on factory labour in 1915, attempts were made to prepare a similar monograph on plantation labour, but it was not until he arrived in India in 1924 that he had an opportunity to collect sufficient material for the purpose.

The author met, however, with two great difficulties, namely, absence of private literature on the subject and the lack of sufficient information on plantations other than those in Assam. While he was not able to overcome these difficulties, he became convinced that practically all the valuable and available material on the subject had already been gathered. But his occupation in other work prevented him from publishing this monograph earlier.

The methodology and plan of work are the same in this monograph as in that on factory labour. An industrial system is an institution which grows out of social needs and only a genetic study can be helpful to the development of an intelligent social policy. While making a comprehensive, though concise, survey, the author has attempted to make it as objective as possible and has followed the historical and statistical methods.

In conclusion, the author welcomes this opportunity to express his deep gratitude to Mr. Ramananda Chatterjee, editor, *The Modern Review*, for genuine sympathy and kind interest in his work. He also wishes to thank sincerely Mr. Ashoke Chatterjee, M.A. (Cantab.), for kindly reading the manuscript and correcting the proofs.

Calcutta.
January, 1931. RAJANI KANTA DAS

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# PLANTATION LABOUR IN INDIA

## CHAPTER I

### INTRODUCTION

India has an area of 1.8 million square miles and extends from 8° to 38° latitude N. and from 10° to 66° longitude, and rises from the sea level to the world's highest altitude. It is surrounded, on the north, by a mountain chain of 1,500 miles, and, on the south, by a coast line of 4,500 miles. There are three great natural divisions, namely, the extensive mountainous regions of the Himalayas, the vast plains of the Indo-Gangetic Valley, and the extensive table-land of the Deccan.

Both the geographical situation and the physical features have made the climatic conditions of India extremely diversified. Tropical, sub-tropical and even arctic climates prevail in different parts of the country and are divided by periodic monsoons into well-defined seasons. The temperature varies from 23° to 126° and the annual rainfall from 3 inches to 460 inches.

The soils in India may broadly be divided into three classes, according to their geological origin, namely: (1) the alluvial soils along the great river courses, including the well-defined layers of sand, clay and loam; (2) the Deccan trap in the central part of the country with heavy black soils, often 20 feet deep, and reaching as high as the foothills; and (3) the crystalline tract

outside the Deccan trap, varying from clay to loam in texture, and from dark to light in colour.

India has a large variety of minerals, and although most of them are limited in quantity, the iron ore reserves and water power sources are among the largest in the world. The flora and fauna are also extremely rich. The number and kind of animals inhabiting India far surpass those of Europe, and the flora are much more varied than those found in any other country in the eastern hemisphere. Almost all the plants of widely different neighbouring countries are to be found in India.

It is thus seen that extensive territories, variegated topography, diverse climate, and rich soil fertility give India a great advantage for the development of plantation industries and for the production of tropical and sub-tropical commodities, for which there is a great demanp both in foreign and domestic markets.

## 1. PLANTATION INDUSTRIES

One of the most important classes of organised industries in India is, in fact, plantation, especially for the production of tea, coffee and rubber. The importance of tea production in the national economy of the country is best indicated by the value of the products exported, which amounted to 29.6 crores of rupees, or about 9 per cent of the total export trade in 1928-29.[1] Although plantation industries were well established during the 'sixties, the exact number of all classes of plantations did not become

[1] Consisting of 26.6 crores of rupees for tea, 1.69 crores for coffee, and 1.99 crores for rubber, *Review of the Trade of India*, 1928-29, pp. 163-64.

available until 1911, when the first Industrial Census was taken, and the number of such industries was found to be 1,687, the figure rising to 2,034 in 1921.[1]

The growth of plantation industries can still better be judged by the increase in the number and in the paid-up capital of the different joint-stock companies. From 1895-96 to 1928-29, the number of the joint-stock companies rose from 172 to 575 and the paid-up capital from 3.67 crores of rupees[2] to 12.86 crores.[3] Moreover, in 1928-29 there were 225 foreign joint-stock companies with £30.56 millions of paid-up capital in different classes of planting industries in India.[4]

Besides investment by joint-stock companies, there was also capital invested by private undertakings. Tea and rubber plantations are no doubt mostly the property of companies. Out of 795 tea plantations in Assam in 1921, for instance, 632 belonged to companies. But the coffee plantations in Madras, which are much smaller concerns than tea gardens, are generally privately owned, only 23 out of 127 in Madras, and 10 out of 242 in Mysore belonging to companies in 1921.[5] There is, however, no way of estimating the capital investments in private enterprise.

Indigo has long been cultivated in India, but as a large-scale field crop it was introduced only by the end of the 18th century, and a thriving industry was developed,

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[1] *Census of India*, 1921. Report, 1 : 266.

[2] *Statistics of British India*, 1922, 1 : 109.

Compiled from *Stat. Abs.* 1930, pp. 592-94.

[4] Compiled from *Stat. Abs.* 1930, pp. 597-98.

[5] *Census of India*, 1921. Report, 1 : 266.

though not strictly on the plantation basis both by private Europeans and the Company's officials during the first half of the 19th century. Reaching its maximum growth by 1860, the industry remained stationary for about a quarter of a century and received its death blow in 1897, when synthetic indigo was put on the market. From an average of 2,000 square miles for the years ending 1899-1900, the area under cultivation declined to 1,100 square miles in 1903-4, and to 107 square miles in 1924-25. The production also declined from 170,000 cwt. valued at $4^1/_3$ crores in 1896-97 to 60,000 cwt. valued at a little more than a crore in 1903-4,[1] and to only 12,600 cwt. valued at only 2 lakhs of rupees in 1928-29.[2]

The cultivation of coffee was tried in Bengal early in the 19th century, but the industry on a large scale began to develop only in the 'sixties. After about two decades of continuous progress, the industry began to suffer from insect pests in the 'seventies, from which it slowly recovered in the 'eighties. But in the face of hard competition from foreign countries, especially Brazil, coffee cultivation has scarcely made any progress in recent years. At present, its cultivation is confined only to Southern India. The area under the crop amounted to 228,000 acres in 1896, but declined to 104,800 acres in 1903. In 1928-29 the cultivation covered an area of 274,002 acres, of which only 160,846 acres were under actual cultivation ; of the latter, 52 per cent of the area

[1] *Ibid.*

[2] *Imperial Gazetteer of India*, 1908, 3 : 69, 74; *Agricultural Statistics of India*, 1924-25, p. 3 ; *Review of the Trade of India* 1925-27, p. 113.

was located in Mysore, 23 per cent each in Coorg and Madras and the remaining 2 per cent in Cochin and Travancore. The number of plantations amounted to 3,357 and the coffee produced, to 28 million pounds.[1]

The cultivation of rubber was first tried in Assam about half a century ago and was then extended to other provinces. At present its production is restricted mainly to Burma, Travancore and Madras. In 1928 the area under the crop amounted to 245, 809 acres, consisting of 2,782 plantations, of which 889 or 53 per cent were in Burma, 214 or 30 per cent in Travancore and the remaining 68 or 17 per cent in Madras, Cochin, Coorg and Mysore. In the same year, the production amounted to 27 million pounds of raw material.[2]

## 2. CULTIVATION OF TEA

The most important plantation industry in India, however, is that of tea. The possibility of tea cultivation was suggested as early as 1788 and the matter was under investigation by a committee in 1834, but the actual planting was not undertaken until 1851. After a sudden boom in 1859, the industry began to decline and after serious depression for two or three years it began to revive and became more or less firmly established in 1869.[3]

Some idea of the growth of the tea industry may be had from the increase in acreage and production. From

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[1] *Imperial Gazetteer of India*, 1908, 3: 63; *Indian Coffee Statistics*, 1926-29, p. 2.

[2] *Imperial Gazetteer of India*, 1908, 3: 118; *Indian Rubber Statistics*, 1928, p. 3.

[3] *Imperial Gazetteer of India*, 1908. 3 : 56.

1885 to 1896, the area devoted to the production of tea increased from 284,000 acres to 433,000 acres, and the production from 72 million lbs. to 156 million lbs. Since 1897 complete figures are available also for export, as shown below. It will be seen that from 1897 to 1928 while the area increased from 470,000 to 773,000 acres, or 60 per cent, the production increased from 154 million lbs. to 404 million lbs. or 162 per cent,[1] and export from 150 million lbs. to 365 million lbs. or 143 per cent, thus showing increasing intensity in cultivation and the expansion of foreign markets.

DEVELOPMENT OF TEA INDUSTRY IN INDIA[2]

(shown at specific periods)

| Year | Acreage (in thousands) | Production (million lbs.) | Export (million lbs.) |
|---|---|---|---|
| 1897 | 470 | 154 | 150 |
| 1910 | 564 | 263 | 251 |
| 1920 | 704 | 345 | 382 |
| 1928 | 773 | 404 | 365 |

The growth of the tea industry is by no means steady. Although the area has gradually increased, production

[1] These figures cannot be taken as quite accurate, for estimates had to be made for some of the gardens for which returns are not furnished by planters.

[2] The figures for exports represent financial years. The increased export in 1920 is the result of the after-war conditions. The low export in 1917 was followed by increased exports in the following years, Compiled from *Statistics of Tea Production in India* for the years indicated.

has undergone some variation. After continuous growth until 1900 it underwent a depression for a short period, but soon recovered. During the War there was a great boom, which was followed by a slump in 1921, when production fell, partly as a result of the general industrial depression all over the world. Since 1922 the industry has again improved, reaching the highest figures of production, *viz.*, 404 million lbs. in 1928. Like production, export has been subject to variation. Among the chief factors contributing to this variation must be mentioned weather condition, labour supply and market prices.

The leading province in the cultivation of tea is Assam, which is followed by Bengal. Of the total of 773,000 acres of land devoted to the cultivation of tea in all India in 1928, 427,000 acres, or 55 per cent were located in Assam, and 193,000 acres, or 25 per cent, in Bengal. Of 404 million lbs. of total production, 246 million lbs. or 61 per cent were raised in Assam, and 95 million lbs., or 23 per cent in Bengal. In other words, Assam and Bengal together cultivated 80 per cent of the total area and raised 84 per cent of the total production of the country. Madras and Travancore cultivated 63,000 and 61,000 acres of land, and produced respectively 27 million lbs. and 30 million lbs. of tea. In short, the cultivation of tea is practically located in two geographical areas, *viz.*, the tableland of Assam, with its two contiguous districts of Darjeeling and Jalpaiguri in Bengal, and the elevated region over the Malabar Coast in South India, including the Nilgiris and Travancore, producing together 98 per cent of India's total tea crop.

GEOGRAPHICAL DISTRIBUTION OF TEA PRODUCTION IN INDIA, 1928.[1]

| Localities | Area | | Production | |
|---|---|---|---|---|
| | 1000 acres | Per cent of total | Million lbs. | Per cent of total |
| Assam | 427 | 55 | 246 | 61 |
| Bengal | 193 | 25 | 95 | 23 |
| Madras | 63 | 8 | 27 | 7 |
| Travancore | 61 | 8 | 30 | 7 |
| Others | 29 | 4 | 6 | 2 |
| Total | 773 | 100 | 404 | 100 |

There have been great variations in the number of tea gardens. From 51 in the year 1859, for which the first records are available, the number of gardens rose to 5,890 in 1909, and fell to 4,402 in 1910, rising again to 4,623 in 1928.[2] The closing of old gardens and the opening up of new ones, as effected by the prosperity and depression of the tea industry, are naturally followed by fluctuations in number. But the amalgamation of several gardens—especially the smaller ones under one management—is also partly responsible for this variation.[3] The large drop in number in 1910 was, however, the result of the change in counting all the small units in a village as a single unit instead of as separate units.

Tea gardens vary greatly in size in different provinces. In 1928, for instance, the average size of 980 gardens in

[1] Adopted from *Indian Tea Statistics*, 1926, p. 11.

[2] *Imperial Gazetteer of India*, 1908, 3 : 56 ; *Note on the Production of Tea in India*, 1910, p. 16 ; *Indian Tea Statistics*, 1928, p. 1.

[3] *Ass. Lab. Rpt.*, 1893, p. 65.

Assam was 436 acres, of 384 gardens in Bengal 524 acres, and of 116 gardens in Travancore 529 acres. The smallest gardens are to be found in the Punjab, where the average size of 2,501 gardens was only 4 acres.[1]

Of 980 tea gardens in Assam in 1928, 641 plantations were located in the northern part of the province, called the Assam or Brahmaputra Valley, and 339 gardens in the southern part, called the Surma Valley. In the former, the leading districts of tea cultivation are Lakhimpur and Sibsagar, having respectively 223 and 196 gardens in 1928 ; and in the latter, the cultivation is confined to the districts of Cachar and Sylhet, which had respectively 176 and 163 gardens in 1928. In Bengal the industry is practically located in the districts of Darjeeling and Jalpaiguri, which had respectively 169 and 144 gardens in 1928. Among the other regions, the most important centres of production are the districts of Nilgiris and Travancore, which had 192 and 116 gardens respectively.[2]

The importance and growth of the tea industry may be indicated by the increase in the investment of capital. The total amount of capital invested by joint-stock companies, both in England and in India, increased from Rs. 17 crores in 1902 to Rs. 48 crores in 1928, the latter consisting of Rs. 12 crores in India and Rs. 36 crores in the United Kingdom.[3]

The financial status of the tea industry is best shown

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[1] *Indian Tea Statistics*, 1928, p. 1.

[2] *Ibid*., p. 12.

[3] *Production of Tea in India*, 1902, p. 2; *Indian Tea Statistics* 1928, p. 7.

by the dividends and share values of 139 companies incorporated in India, the capital investments of which amounted to Rs. 5 crores. Of these, 123 companies declared dividends of 32 per cent on their aggregate capital of Rs. 4.53 crores in 1927, and 95 companies declared dividends of 23 per cent on their aggregate capital of Rs. 3.82 crores. The value per 100 rupees of joint-stock capital in the Calcutta Share Market was Rs. 285 for 136 companies in 1927, Rs. 332 for 134 companies in 1928, and Rs. 303 for 135 companies in 1929.[1]

### 3. FUTURE OF PLANTATIONS

The foregoing survey indicates that plantation industries, specially the cultivation of tea, have made considerable progress in the national economy of India and command also a great foreign market. In fact, India occupies a very high place in the production and export of tea in the world. Of the world's total production of 396 million kilogrammes and of the total exports of 3.95 million quintals in 1927, India contributed respectively 177 million kilogrammes and 1.65 million quintals, or 44 and 42 per cent.[2] In the 33 years from 1896-1897 to 1928-1929, the export of Indian tea increased by 143 per cent as compared with 115 per cent of Ceylon tea. During the same period China tea export declined by 52

[1] *Indian Tea Statistics*, 1948. p. 7 ; *Capital*, Calcutta, 26 September, 1929.

[2] *International Year Book of Agricultural Statistics*, 1927-28, pp. 160-66, 109-11.

per cent but in the 22 years from 1905-1906 to 1928-1929 Java exports increased by 425 per cent. [1]

As far as the production for foreign market is concerned, India has several advantages. In the first place, the geographical situation has made her an important industrial centre for the production of tropical and sub-tropical products, as noted before. In the second place, the vastness of labour supply gives her an advantage over Ceylon, Malaya, Burma and similar other countries, which have to depend largely on imported labour. In the third place, comparative efficiency of labour gives her also an advantage over tropical and sub-tropical regions of Africa and America where indigenous labour has not yet developed the aptitude for such work. More or less for the same reason, Indian labourers, like other Oriental peoples, are more adapted to some of the plantation operations, such as hoeing and plucking, than European colonists. Finally, the increasing management by Indians of plantations, which are still in the hands of the Europeans, will also lead to the reduction of overhead charges and the cheapness of production in India as compared with some of the Colonies and Dependencies where there are as yet no such prospects.

The prospects of an increasing home market are still greater. India is on the high road to industrial development. She is already one of the great industrial centres of the world. The recent policy of making her industrially self-sufficient as far as basic needs are concerned—a policy which is bound to grow with the nationalisation of the

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[1] *Indian Tea Statistics*, 1928, pp. 4 and 17.

Government—will increase the demand for some of the plantation products, such as rubber.

With the increasing standard of living, the home consumption of tea and coffee, especially the former, will naturally increase. A generation ago the use of tea in India was confined mostly to the European and Eurasian communities, but the habit of tea drinking has been rapidly increasing among the people, who have no other beverage. The consumption of tea in India, for instance, increased from 8.5 million lbs. in 1896-1897 to 57 million lbs. in 1928-29.[1] There has also been a considerable increase in the consumption of coffee in India.

The plantations give India an opportunity for the expansion of organised industries for which she has great need. As an intensive form of agriculture, they help her to increase the productive power of land and also to utilise many hilly districts and jungle territories all along the Himalayan ranges, Western and Eastern Ghats, Aravalli Hills and other similar regions, which would otherwise waste. They also give an inducement to indigenous enterprise. Although the plantation industry was started by Europeans and is still largely in their hands, indigenous capital has already begun to take a larger and larger share in the industry. The spread of tea-gardens in the eastern hills of Assam during the decade from 1911 to 1921 was entirely due to Indian enterprise.[2] With the

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[1] *The Cultivation of Tea in India*, 1896, p. 3; *Indian Tea Statistics*, 1928, p. 5

[2] *Census of India*, 1921. Report 1 ; 247.

growth of the policy of national economy and of industrialisation of production, indigenous enterprise is bound to grow, leading, among other things, to the extension of plantation industries. What is most important is that they give India a chance to utilise her vast labour forces for the benefit of the workers as well as for the country as a whole.

# CHAPTER II

## THE RISE OF PLANTATION WORKERS

One of the outstanding economic features in India is the growth of agricultural population. The number of agricultural population as compared with the total increased from 61 per cent in 1891 to 73 per cent in 1921.[1] One of the effects of the growth and preponderance of agricultural population is the rise of a class of agricultural labourers. In 1891, for instance, the number of agricultural labourers was 17 millions, which rose to 35 millions in 1901. Although this rise was partly due to the changes in occupational classification, the number of farm labourers, including farm servants, rose to 41 millions in 1911. Due to the epidemic of influenza in 1917 and 1918, this number declined to 37 millions in 1921. To this must be added the other class of labourers, such as dock labourers, road and railway workers and unspecified labourers and the total number of all classes of labourers including their dependants might be estimated at 48 millions in 1921.[2]

The number of workers in the organised industries is, however, very small. In 1921, for instance, the number of workers in large scale industrial establishments, or rather in establishments employing 20 persons or more,

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[1] *Census of India*, Report, 1901, 1 : 238 ; 1921, 1 : 246.

[2] *Census of India*, Report, 1901, 1 : 272 ; *Imperial Gazetteer of India*, 1908, 3 : 1 and 2 ; *Census of India*, 1921. 1 : 246.

amounted to 2·6 millions[1] exclusive of their dependants. This is due to the fact that modern industries still occupy a minor place in the industrial organisation of the country. Since then the large scale industries have increased both in extent and in number and the present number of actual workers in factories, mines, plantations and transports might roughly be estimated at 4 millions.[2]

## 1. GROWTH IN NUMBER OF LABOURERS

Although the various plantation industries have been growing in India since the beginning of the nineteenth century, no data are available as to the number of workers employed in them until 1911, when the first industrial census was taken, and the total number of labourers in all classes of plantations, including tea, coffee, rubber and indigo, was found to be 7,41, 691.[3] In 1921, the number rose to 1,003, 458, showing an increase of 35 per cent in a decade.[4] While the present number of workers in all plantations is not known, that in tea, coffee and rubber plantations is 1,053, 944. Of this number, 906, 787, or 86 per cent, were in tea industries ; 94, 865, or 9 per cent in coffee industries ; and 58, 292, or 5 per cent, in rubber industries, as shown in the table below.

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[1] *Census of India*, 1921, Report I : 292.

[2] The exact number of workers in these industries amounted to 3.7 millions, but to this must also be added the employees in commercial houses and Government offices.

[3] *Census Report*, 1911. 1 : 440.

[4] *Ibid.*, 1921, 1 : 285.

WORKERS IN DIFFERENT PLANTATION INDUSTRIES, 1928[1]

| Industry | Permanent | Permanent | Temporary | Total | |
|---|---|---|---|---|---|
| | Living on plantation | Living outside | Living outside | Number | Per cent of total |
| Tea (1928) | 758,096 | 73,342 | 75,345 | 900,787 | 86 |
| Coffee (1927-28) | 44,744 | 19,094 | 31,027 | 94,865 | 9 |
| Rubber (1928) | 31,748 | 9,234 | 17,310 | 58,292 | 5 |
| Total | 834,588 | 101,670 | 123,682 | 1,053,944 | 100 |

An important question in connection with the employment of labour on plantations is their residence on the premises. It has great effect on the employment of women and children as well as on the wage rate and the mental attitude of all workers. Of 1,059,940 workers in 1928, 834, 588, or 79 per cent, were living on plantations. What is perhaps of more immediate interest to workers is permanence of employment or security of income. Of the total number of workers in 1928-29, 936,258 or 86 per cent, were permanently employed. The total labour population including dependants is, however, much greater than that of actual workers. On the basis of that on Assam tea gardens, where 45 per cent are dependants, as shown later on, the total population on tea, coffee and rubber plantations, including those living outside, would amount to 1,927,167. Since a large number of labourers is also employed in other classes of plantations, the total population depending upon labour in these industries may safely be estimated at two millions.

Indigo plantations, as they used to be known, were the

[1] Compiled from *Indian Tea Statistics*, 1928, p. 6 ; *Indian Coffee Statistics*, 1928-29, p. 2 ; *Indian Rubber Statistics*, 1928, p. 7.

oldest in the country, and at one time employed a considerable number of workers both in cultivation and manufacture. Early in the twentieth century, the industry still supported about 250,000 people, but the numbers have gradually decreased.[1]

Coffee cultivation is one of the most important plantation industries. In 1903, the number of labourers on coffee plantations was 82,000, and rose to 94,865 in 1928-29. Of the latter, 38,085, or 38 per cent., were employed in Mysore ; 31,129, or 30 per cent., in Madras ; 24,046, or 29 per cent., in Coorg ; and the remaining 3 per cent. in Travancore and Cochin.[2]

The number of workers employed on rubber plantations is smaller than that of those employed on coffee plantations. In 1928, the number of workers amounted to 58,292, of whom 30,475 or 41 per cent. were employed in Travancore, 17,320 or 29 per cent. in Burma, and the remaining 10,497 or 25 per cent. in Madras, Coorg and Cochin.[3]

By far the largest number of the plantation workers is employed in the tea industry. In 1895, the earliest year for which records of tea-garden workers throughout India are available, the average daily number of workers was 553,821.[4] This number rose to 973,358 in 1919,

[1] *Imperial Gazeteer of India* 1908, 3 : 74.

[2] *Ibid.*, 1908, 3 : 63 ; *Indian Coffee Statistics*, 1928-29, p. 5, *adapted*.

[3] *Indian Rubber Statistics*, 1928, p. 7, *adapted*.

[4] These figures are not, however, altogether reliable, as errors occur both in reporting the numbers employed and in reducing the total number of attendances to a daily average. In Southern India

the highest figures ever reached in the industry. In 1928, there were 906,787 tea garden workers throughout the country.[1] As in the case of production, these variations in the number of workers on tea gardens are due to expansion or contraction of the industry resulting from market conditions and labour supply. It will also be seen that, while the number of temporary labourers declined from 102,895 in 1895 to 75,349 in 1928, that is by one-fourth, the number of permanent workers increased from 450,926 to 831,438, that is almost doubled.

GROWTH IN NUMBERS OF TEA GARDEN WORKERS IN INDIA
(at specified periods)[2]

[2] Compiled from *Indian Tea Statistics* for respective years.

| Year | Permanent | Temporary | Total |
|---|---|---|---|
| 1895 | 450,926 | 102,895 | 553,821 |
| 1919 | 900,695 | 72,660 | 973,355 |
| 1928 | 831,438 | 75,349 | 906,787 |

The most important centre of tea cultivation is Assam, and the number of workers employed in the industry in that province is naturally the largest. Of 906,787 workers in 1928, 544,193 or 60 per cent. were located in Assam, which was followed by Bengal with 185,399, or 20 per cent. Only 20 per cent. of the workers were employed on tea gardens in Madras, Travancore and other places, as shown below. It is thus seen that over four-fifths of the workers on tea gardens are employed in the two contiguous territories of Assam and Bengal.

work is also done by contract, in which case no record of labour employed is available. *Production of Tea in India, 1904*, p. 3.

[1] Adapted from *Indian Tea Statistics*, 1928, p. 6.

GEOGRAPHICAL DISTRIBUTION OF TEA GARDEN WORKERS IN INDIA, 1928.

*Average daily number of workers employed.*

| | Garden labour. (Permanent) | Outside labour. (Permanent) | Outside labour (Temporary) | Total | |
|---|---|---|---|---|---|
| | | | | Number | Per cent. of total |
| Assam | 468,596 | 33,396 | 42,201 | 554,193 | 60 |
| Bengal | 169,764 | 5,777 | 9,858 | 185,399 | 20 |
| Madras | 40,616 | 23,081 | 7,875 | 71,572 | 8 |
| Travancore | 68,866 | 1,912 | 2,040 | 72,818 | 8 |
| Other localities | 10,254 | 9,176 | 13,365 | 32,795 | 4 |
| Total[1] | 758,096 | 73,342 | 75,349 | 906,787 | 100 |

## 2. ASSAM TEA GARDEN WORKERS

Assam not only employs the largest number of tea garden workers, it is also one of the oldest centres in which plantation workers first began to appear as a class. In fact, plantation legislation in India has developed chiefly in connection with the recruitment and employment of Assam tea garden labourers, as will be shown later on. A detailed analysis of the conditions of the workers on Assam tea gardens is, therefore, the most important part of the study of plantation labour.

[1] *Indian Tea Statistics*, 1928, p. 6.

In 1877, the total strength of the labour force, including both the actual workers and their dependants, was 157,219, and rising as high as 1,110,364 in 1919-20, decreased to 1,067,662 in 1928-29, showing a sixfold increase during the time under consideration.

LABOUR FORCE ON ASSAM TEA-GARDENS[1]
(AT SPECIFIED PERIODS)

| Year | Men | Women | Children | Total |
|---|---|---|---|---|
| 1877 | 59,923 | 50,752 | 46,544 | 157,219 |
| 1900 | 204,492 | 205,603 | 252,376 | 662,471 |
| 1919-20 | 323,731 | 305,850 | 480,850 | 1,110,364 |
| 1928-29 | 333,962 | 281,507 | 452,183 | 1,067,662 |

As in the case of the tea gardens, by far the major part of the labour force is located in the Assam Valley. In 1928-29, for instance, out of a total of 1,067,662 labour population, 737,075 or two-thirds were in the Assam Valley, and only 327,958 or one-third were in the Surma Valley.

The number of persons who are actually employed is, however, much smaller than the total labour force. Out of a full labour force of 1,046,441[2] on Assam tea

[1] Average annual strength, except for 1928-29 which represents the number remaining at the end of 1928-29. *Adapted from Ass. Lab. Reports* for years indicated.

[2] The discrepancy in the number of workers on Assam tea gardens as shown by this and previous figures is due to the fact that in this case only the average daily number employed is taken into consideration, and the previous figure represents the number at the end of the year.

gardens in 1928-29, for instance, only 577,943, or 55 per cent. were actual workers and the remaining 45 per cent. were dependants. The average daily strength of the workers was, however, still less, being 528,441 or 41 per cent. of the total labour force, as shown in the table below.

NUMBER OF ACTUAL WORKERS ON ASSAM TEA-GARDENS, 1928-29.[1]

| Workers | Total Labour force | Number on the book | | Average daily strength | |
|---|---|---|---|---|---|
| | | Number | per cent. of total | Number | p. c. of total |
| Adults | 600,291 | 484,565 | 80 | 363,833 | 60 |
| Children | 446,150 | 93,378 | 20 | 64,608 | 14 |
| Total | 1,046,441 | 577,943 | 55 | 428,411 | 41 |

### 3. INDENTURED AND CONTRACT LABOUR

Unlike other large-scale industries, plantations, especially tea gardens in Assam, are worked with imported labour. A considerable number of the workers was until recently under various forms of contract. This contract was executed under two distinct series of Acts, namely, Plantation Legislation or Labour and Emigration Acts, and Workmen's Breach of Contract Act. The former gave rise to the indentured system, and the latter to contract labour under penal sanction.

1 *Adapted* : *Ass. Lab. Repts.* for 1928-29.

In 1877, there were 46,765 indentured workers or Act-labourers, as they were officially called, on Assam tea gardens, and rising as high as 148,192 in 1897, the number decreased to 5,061 in 1915-16, as shown below. It will also be seen that of the total number of workers in Assam, 41 per cent. were Act workers in 1877, and rising as high as 46 per cent. in 1884, it decreased to 37 per cent. in 1897, and to 8 per cent. in 1915-16.

ACT-LABOURERS ON ASSAM TEA GARDENS
(SHOWN AT SPECIFIED PERIODS)

| Year | Total adult labourers | Act-labourers | | | |
|---|---|---|---|---|---|
| | | Men | Women | Total | |
| | | | | Number | per cent. of total labourers |
| 1877 | 110,675 | 25,109 | 21,656 | 46,765 | 41 |
| 1884 | 181,501 | 48,634 | 35,117 | 83,751 | 46 |
| 1897 | 399,975 | 79,136 | 69,056 | 148,192 | 37 |
| 1915-16 | 569,770 | 2,910 | 2,152 | 5,062 | .8 |

As might be expected, the number of these Act-workers, as compared with non-Act workers, was much larger in the beginning and gradually began to decline This decline began long before the indenture system was abolished. There are several reasons for the gradual decline of the indentured or Act-workers : First, the growth in settlement of Assam tea garden workers

making labour supply more and more secure ; second, restriction of the contract system by successive legislative measures gradually reduced the number of Act-workers ; third, gradual increase in transportation facilities and the free movement of labour also contributed to the gradual decline of contract labour ; finally, the increasing dependence of the planters upon the Workmen's Breach of Contract Act of 1859 until its abolition in 1926 was also partly responsible for the gradual decrease of indentured labour.

As regards the number of workers employed on Assam plantations under Act XIII of 1859, there is no record prior to 1894, when from 70,000 to 80,000 labourers were estimated to be working under the Act.[1] In 1920-21, there were 270,443 such workers.[2] In 1921-22 the number rose to 278,242 consisting of 190,022 in the Assam Valley and 88,220 in Surma Valley. The Act of 1859 was abolished on April 1, 1926, but 117,978 workers were still under contract in the Assam Valley up to March 3 of that year.[3] At present there is no contract labour in India, except in Coorg, where it will be terminated by the end of 1931.

### 4. WOMAN AND CHILD LABOUR

One of the most important features of plantation industries is that in proportion to men they employ more women than any other organised industry. In 1911,

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[1] *Ass. Lab. Report.* 1894, p. 35.

[2] *Ass. Lab. Enq. Com. Report*, 1921-22, p. 83.

[3] Compiled from *Ass. Lab. Reports*, 1926, p. 3 and also for previous years.

for instance, out of 741,691 workers, 350,064, or 47 per cent., were women ; and in 1921, out of 1,003,458 workers, 475,876, or 45 per cent., were women. Even in the Assam tea gardens the number of women compared very well with that of men. Thus, out of a labour force of 1,067,662 at the end of the year of 1928-29, there were 281,507 women as compared with 333,962 men, or over 45 per cent. of the total adult population. When the indenture system was prevalent, a fair proportion of women were also indentured labourers. Thus out of 148,102 adult indentured labourers on Assam tea gardens in 1897, 69,056 or 46 per cent. were women.

There are several reasons for the proportionately large number of women workers on plantations : In the first place, being akin to agriculture, plantations are more congenial to women than other organised industries, such as factories, and mines. In the second place, the very fact that the labourers not only work but also generally live on plantations or in the vicinity gives women a chance to work on them. In the third place, the system of labour contracts based on the principle of utilising every able-bodied person in the family for labour and of fixing the wage rates accordingly, compelled women to seek employment in order to balance the family budget. The contract system has been practically abolished, but the system of wage rates and the custom of women's labour still remain.

As in the case of women, the number of children uo

plantations is also proportionately larger than that in factories or mines. Thus, in 1928-29, out of a total annual labour force of 1,046,441 on Assam tea gardens, 446,150 or about 43 per cent., were children. Of these children only 93,378, or 20 per cent., were working. The number of children according to the average daily strength was, however, only 64,608, or 14 per cent. of the total child population on the gardens.

The reason for a large proportion of children on plantations is obvious. Most of the children have to live on plantations with their parents, either one or both of whom may be employed on tea gardens. The lack of educational facilities in India is one fundamental reason for a large number of children being employed in all occupations, and plantation labour is no exception. The nature of plantation work also makes child labour profitable to planters. Moreover, the extreme poverty of of the people and the low wages of adult labour easily induce the parents to take advantage of the wages of their children.

The number of women and children on Assam tea gardens, especially that of the latter, has increased faster than that of men. Thus, from 1877 to 1928-29, while the number of men increased from 59,923, to 333,962, or a little over five times, that of women increased from 50,752 to 281,507, or about six times, and that of children from 46,544 to 452,183, or about nine times.

The reason for the proportionately larger increase in the case of women and children is that as the industry became more stabilised, and conditions of work improved

more workers brought their families with them to live on the tea gardens. The system of recruitment and increasing transportation facilities provided have also affected the position, as will be seen later on. Moreover, as the number of domiciled labourers increased, the number of children also naturally increased.

## 5. LOCAL SOURCES OF SUPPLY

In a previous section it has been shown that a large number of the population has gradually become wage-earners, of whom the largest classes were field and unspecified labourers, forming together 41 million persons including their dependants. According to the census of 1921, by far the largest of these workers were located in the Eastern Provinces and Southern India. More than half of the labourers were enumerated in these two regions and the remaining half were in North and North-Western India, Central India and Burma, as shown in the table below.

DISTRIBUTION OF FIELD AND UNSPECIFIED LABOURERS IN INDIA, 1921

| *Province* | *Field labourers* | *Unspecified labourers* | *Total* |
|---|---|---|---|
| | (in millions) | | |
| Eastern Provinces | 10.00 | 1.78 | 11.78 |
| Southern India | 7.49 | 3.34 | 10.84 |
| North and North-Western Province | 4.30 | 1.61 | 5.92 |
| Central India | 4.62 | 1.01 | 5.63 |
| Western India | 3.38 | 1.16 | 4.54 |
| Burma | 2.08 | .37 | 2.46 |
| Total | 31.89 | 9.29 | 41.19 |

With the growth in demand for labour by organised industries, both the Eastern Provinces and Southern India became the sources of labour supply. While the latter

supplied a considerable number of workers to Ceylon, Burma, Malaya and other colonies, the Eastern Provinces met mostly the demand of the growing industries of coal, jute and tea in Bihar, Bengal and Assam.

From the very beginning the tea gardens in Assam have been worked by imported labour. In 1883, for instance, out of an adult labour force of 157,622 persons only 8,208 or 5 per cent., were supplied by Assam, the remaining 149,414 or 95 per cent., being imported. Even in 1928-1929 out of 615,479 adult labourers, only 57,498 or 9 per cent. were Assamese, the remaining 91 per cent. being immigrants.[1]

The majority of immigrant labourers in Assam tea-gardens are derived from two distinct regions, namely, the first comprising the United Provinces, Bengal and Bihar and the second, Chota Nagpur and Santhal Purganas. Out of 615,479 adult labourers by the end of the year 1928-1929, for instance, 220,074 or 36 per cent. were supplied by the former and 191, 838 or 31 per cent., by the latter. The Central Provinces and Madras supplied only 13 and 10 per cent. respectively, as shown below.

DISTRIBUTION OF ASSAM TEA-GARDEN ADULT LABOURERS BY PLACE OF ORIGIN, 1928-29.[2]

| Localities | Labourers | |
|---|---|---|
| | Number | P. C. of total |
| United Provinces, Bengal and Bihar | 220,474 | 36 |
| Chota Nagpur and SanthalPurganas | 191,838 | 31 |
| Central Provinces | 78.558 | 13 |
| Madras | 61,882 | 10 |
| Assam | 57,498 | 9 |
| Others | 7,935 | 1 |
| Total | 615,479 | 100 |

[1] *Ass. Lab. Rpts.*. 1883, p. 26 ; 1928-29, *Statements.*
[2] Compiled from *Ass. Lab. Repts.* 1928-29, *Statements.*

In the beginning, Bengal was the main source of labour supply to Assam. As an adjacent territory, it was only natural for Bengal to supply the demands of her neighbouring province. But as transport facilities increased and labour supply from more congested provinces became available, Bengalees were gradually replaced by immigrants from Bihar, the United Provinces, Chota Nagpur and Santhal Purganas. In recent years even Madras has begun to contribute her share to the Assam labour force and Madrasis have already reached one-tenth of the adult immigrant force on the Assam gardens, as shown above.

The reason for such a change in the composition of immigrant labour is obvious. Unless there are restrictions, cheap labour is bound sooner or later to replace dear labour. The overcrowded districts of western Bihar, the United Provinces, Central Provinces and even of Madras, which are often subjected to scarcity and famine, are more advantageous for the recruitment of labour than Bengal, where the population is better off. Both the richness of the soil and the permanent settlement of land have made the Bengalis economically more independent. Moreover, the very distance from the place of origin, although involving higher initial expense in recruitment and importation, makes immigrant labour on plantations more stable, once it is imported.

# CHAPTER III.

## PLANTATION LEGISLATION.

The origin of plantation legislation might be traced back to the 'thirties of the last century, when at the abolition of slavery, British colonists sought the cheap labour supply from India, and a large number of Indians began to emigrate to the colonies under various forms of labour contract. The Government of India undertook legislation for regulating the recruitment, transportation and employment of emigrant labourers under the indenture system. Although the purpose of this legislation was to facilitate emigration to foreign countries rather than to regulate employment within the country, it led the way for the development of plantation legislation a generation after, when tea gardens began to grow in Assam and the importation of labour became necessary.

Plantation labour has been regulated by two distinct sets of legislation : first, emigration and labour acts enacted for regulating the recruitment and employment of labour on plantations in Assam and other provinces ; and second, the Workmen's Breach of Contract Act XIII of 1859, which, although enacted for employment in general, was taken advantage of by plantation industries.

The essential feature of plantation legislation, especially in the early stages of its development, was the regulation of contract between planters and labourers, by which the latter were bound, under penalties, to work for

the former for a certain period of time, in return for some stipulated remuneration. The purpose of the legislation was to guarantee planters the services of their recruits and to provide labourers with steady work, adequate wages and sanitary conditions. But inasmuch as this was done under the provision of penal sanction, the natural outcome of the legislation was the development of the indenture system.

What planters sought in the contract was to secure a hold over their labourers. So long as the indenture system gave them the best security, they were unwilling to employ labour under any other condition. A recommendation in favour of free labour was made as early as 1868, and legislation to that effect was enacted in 1873 and 1882, but planters declined to make use of them. The only other legistation which offered them somewhat similar security was the Workmen's Breach of Contract Act of 1859, and as the plantation legislation was gradually modified, planters resorted more and more to Act XIII of 1859, which was a much cheaper and easier form of contract.

## 1. HISTORICAL DEVELOPMENT.

The origin of plantation legislation dates back to 1859, when, following the boom in the tea-industry, the Secretary of State for India called for information as to the success attending the cultivation of tea in Assam. On enquiry, labour shortage was found to be the main obstacle to the further extension of tea cultivation. The Government of Bengal recommended to the planters an

organised system of recruitment, but as the planters failed to formulate any scheme for the purpose, the recommendation did not meterialise.

A boom in the tea industry in the same year made it also absolutely necessary to import labour from outside and a tea-planters' association was formed to facilitate the importation of labour from Lower Bengal under the contract system. The recruitment and transportation of labour by contractors gave rise to such abuses that the Government of Bengal had to appoint, in 1861, a Committee of Enquiry, on the recommendation of which the first Plantation Act was passed by the Bengal Council in 1863. By this Act, recruiters were required to be licensed, emigrants to be registered, and sanitation to be provided on the way to labour districts. The maximum period of contract was also fixed at five years[1].

The failure of the Act to regulate the conditions of labour and the rates of wages on plantations left many abuses unmitigated. To deal with those abuses, the Act was amended in 1865. By this amendment, the terms of contract were reduced to three years, the monthly rates of wages were fixed, appointment of protectors of labour was provided, contracts were made voidable in the case of unhealthy gardens, and indolence and desertion on the part of labourers were made punishable, and planters were empowered to arrest absconders without warrants within the limits of the district. Moreover, if a labourer was sentenced to be imprisoned, the period of imprison-

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 718

ment was to be added to the term of the contract. With this Act a complete indenture system was established.

The Act of 1865 neither solved the problem of labour supply nor gave protection to labourers. On the recommendation of a commission, appointed to investigate the matter, the Act was amended in 1870, providing for the cancellation of a contract after a deserter had suffered imprisonment amounting to six months, and recognizing garden sardars as a class of recruiters. The abuses of the labour shortage still continued, and the Act was again amended in 1873, introducing free recruitment, subject only to civil contract.

This Amendment, however, failed to remedy the defects, and a new Commission of Enquiry was appointed in 1881. The chief findings of the Commission were as follows: (1) lack of encouragement to free emigration; (2) unnecessary restriction of the Sardari recruitment; (3) absence of provision for the enforcement of contract outside the Act; (4) insufficient protection against absence, idleness, and desertion of labourers. To give effect to some of these recommendations, the Act was again revised in 1882. The chief provisions of this Act were: the free recruitment of labour, execution of contracts in any labour district, and legal recognition of local agents in recruiting districts. But uncontrolled recruitment led to some of the grossest scandals, of which the most important was the heavy mortality among the recruits on their way to labour districts. The Act was therefore revised in 1889, with a view to ensuring proper treatment of free emigrants on

the way to labour districts, and again in 1893, chiefly with a view to facilitating the administration of unhealthy gardens and the operation of penal aspects of the contract system.[1]

The problems of labour supply and of the control of abuses, however, still remained unsolved. In 1855 the Government of Bengal appointed a new Commission of Enquiry, which strongly criticised some of the abuses in connection with the existing system of recruitment and recommended several remedial measures, on the basis of which was passed Act VI of 1901. The most important provisions were as follows : (1) Local Governments, subject to the sanction of the Central Government, were empowered to close any area to recruitment except in accordance with the provisions for licensed contractors and certified garden sardars ; (2) a special class of garden sardars was created to recruit without registering their recruits within notified areas ; and (3) Local Governments were granted option to relax any provisions relating to recruitment by garden sardars working under approved agencies or associations.

The abuses arising from the penal sanction of the law still remained, and were severely criticised by Sir Henry Cotton, the Chief Commissioner of Assam, who recommended their complete abolition. This recommendation aroused strong resentment among the planters and tea associations, who addressed a protest to the Government of India. The Government of India came to the conclusion that although abuses undoubtedly existed,

[1] *Ass. Lab. Report*, 1893, p. 1.

they were comparatively few in number, and were confined to only a very small percentage of the gardens.

In 1903, several riots occurring on tea gardens in Assam, the Government of India requested the Local Government to report on the condition of relations between employers and employees in Assam as compared with neighbouring districts of Bengal. Mr. J. C. Arbuthnott was deputed by the Assam Government to report on the conditions prevailing in the tea districts in Bengal, Madras and Ceylon. In his report Mr. Arbuthnott pointed out the absence of the indenture system and of direct management everywhere else in India and Ceylon, and recommended shortening the contract period, permitting leave of absence to workers, introducing the gang system of management, revising Act VI of 1901 with a view to simplification, and introducing a freer system of recruitment.

In the meantime the Government of Assam, in consultation with the Government of Bengal, reported to the Government of India that the increasing collisions between planters and labourers were due to abuses in recruitment, restricted freedom of labourers, penal clauses of contracts and the right of private arrest by employers, and recommended the withdrawal of Act VI of 1901 from certain districts.

In 1904 the planters in the Surma Valley petitioned the Government for free immigration of labour and for a short contract act on the lines of Act VIII of 1859. The proposal being objected to by the planters in the Assam Valley, the Government of Assam appointed a Committee in 1906 in order to investigate the matter.

The Committee found that Act XIII of 1859 was popular with employers and that it worked fairly well in practice in spite of its theoretical objections. Owing to its association with Act VI of 1901, there was a tendency to exercise the power of private arrest in the case of all absconders under its provisions, and even free labourers were often subjected to such arrests. But the benefits enjoyed by the labourers under Act VI were also generally extended to those working under it. The Committee was averse to the amendment of the Act, which was applicable to the whole of India simply, to suit the needs of a particular industry, but disapproved of any contract for a term longer than 313 days. While advocating the retention of Act VI, the Committee recommended the withdrawal of some of its provisions for ensuring greater freedom to labourers.

To give effect to these recommendations, Act VI of 1901 was amended in 1908, enabling Local Governments to dispense with or relax some of the provisions.[1] The result was that contract under Act VI, except in recruiting districts, was prohibited. Once brought into Assam as free immigrants, labourers could not be put under Act VI contracts in labour districts, nor could the time-expired labourers be re-engaged under Act VI on the expiry of their contracts. The right of private arrest was abolished and recruitment by unlicensed contracts prohibited. Facilities were created for recruitment by garden sardars working under labour supply organisations,

[1] *Ass. Lab. Report* 1909, p. 1.

to which privileges had been conceded for the purpose.[1]

In the same year, the Government of India announced their intention of withdrawing Act VI from certain labour districts in Assam and appointed an agent in the recruiting districts with a view to finding a solution for removing existing prejudices against emigration to Assam. The report of the agent was that these prejudices would not disappear until the Act was withdrawn from all labour districts and recruiting through contractors was abolished.

In 1913, the Government of India decided to withdraw the provisions of the Act from the remaining districts of Assam and drafted a Bill providing employers with some remedy against enticement of labour and enabling them to receive by a summary procedure the cost of importation of a labourer from any one who wilfully employed him within three years of his arrival at the estate. But the principle of the Bill was rejected by the Secretary of State for India. In 1915, however, the Assam Labour and Immigration (Amendment) Act (VIII) was passed, by which the system of recruitment by all classes of contractors was abolished and a Labour Board for the supervision of local agents and of the recruitment, engagement and emigration of labourers to tea districts, was constituted under the Act.

While the regulation of recruitment and transportation of workers from the regions of labour supply to labour districts has been well developed, much still remains to be done to regulate working and living conditions

[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 102.

on the plantations themselves, specially with regard to sanitation, hours of work and housing. Some measures in this connection have recently been undertaken by Local Administrations. In 1912, for instance, the Jalpaiguri Labour Act was passed, providing for the health of labourers on tea gardens in the district of that name. In 1923, a Bill was introduced under the name of the Bengal Tea Gardens Public Health Bill, with the object of setting up a Board of Health for tea-producing areas in Bengal, and to replace the Japaiguri Act of 1912, but it lapsed with the dissolution of the Legislative Council in that year.[1] The existing law is inadequate and defective, and requires a thorough revision, but no amendment is expected before the present Royal Commission on Labour has made its report.

### 2 BREACH OF CONTRACT ACT.

The Workmen's Breach of Contract Act (VIII) was passed in 1859, at the instance of the Calcutta Trade Association and the similar other interests, which memorialised the Government setting forth losses sustained by them owing to the wilful breaches of contract or desertion of service by workmen and servants and asking for the application of summary remedies. It was first proposed to limit the scope of the Act to Presidency towns, but at the suggestion of the Madras Government, a provision was made authorising all governments and administrations to extend it to any place within their

[1] Clow, A. G., *The State and Industry*, Government of India, 1928, p. 165.

jurisdiction on condition that the powers under it were to be exercised only by specially appointed officers.[1]

Plantations in Assam began to make use of the Act as early as the 'sixties. Its application was first limited to locally engaged labourers and was then gradually extended to the re-engagemet of time-expired labourers, but even in the Surma Valley, it often replaced the plantation law, even in the case of new immigrants.

The legality of applying such an indefinite Act to tea-garden labourers was first questioned by Sir Charles Elliot, Chief Commissioner of Assam, who recommended its withdrawal in 1888. The Government of India, concurring with this view, made a representation to the Secretary of State for India to that effect, and at the same time, requested Sir W. Ward, the successor of Sir Charles Elliot, to make enquiries regarding the effect of the repeal of Act XIII. In a report in 1889, Sir W. Ward maintained that though indefensible in principle, the Act was harmless in actual operation.

In 1890, Mr. Quinton, then the Chief Commissioner of Assam, made some further enquiries on the working of the Act, and gave his opinion in favour of its retention. The following year, the Government of India accepted these views, and, with the consent of the Secretary of State for India, decided in favour of retaining this Act.

Since then, Act XIII of 1859 continued to gain in popularity with employers and, it is reported, also with employees. It is said that in practice the abuses under it were few in number. It had, of course, suffered from

[1] *Ass. Lab. Enq. Com. Rpt.*,1906, p. 103.

its asssociation with Act VI of 1901, for the powers of private arrest conferred by the latter have not infrequently been illegally exercised in the case of Act XIII absconders and even of free labourers. Efforts were also made to put a stop to illegal arrest. Considering the number of labourers working under this Act, the number of those illegally arrested could not be called formidable. As a rule, contracts were generally limited to 313 days, but sometimes extended to 939 days. Such contracts were often verbal, but a record of them was invariably kept either in the garden cash book or in the advance register, and the labourer's thumb-mark was generally attached to the entry.

As noted before, the Assam Labour Enquiry Committee of 1906, which was appointed to investigate the matter advocated the retention of the Act. They did not think that agreements were obtained from the labourers by force ; on the contrary contracts were fairly fulfilled on both sides. "If Act XIII were abolished tomorrow", continued the Committee, "probably most gardens would have to continue the same procedure as at present of giving advances or bonuses and taking agreements in return."[1]

But Act XIII gradually became recognised to be unsuitable in many respects to the changing conditions, and was found to be abused by employers. By Act XII of 1920, which came into force on March 12 of the same year, the original Act of 1859 was considerably modified. But several defects still remained. In the Legislative

[1] *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 106.

Assembly on September 10, 1921, a resolution was brought forward that Act XIII should be repealed. Government admitted that an Act, which included a penalty of imprisonment for breach of contract, was not in accordance with modern feeling, and consented to introduce a Bill to repeal it, if Local Governments and public opinion desired to do so, and in the meantime enquiries were to be made as to how the Act as amended had worked, and whether its repeal would materially affect the industrial progress of the country.

In 1921-22, the Assam Labour Enquiry Committee was requested by the Government of Assam to express its views on the question of retaining Act XIII. The Committee was divided in its opinion. Two members, connected with the tea industry, were in favour of its retention on the grounds that it was necessary for planters, who incurred an expenditure of Rs. 100 to 150 per recruit to have some hold on him, and also that the labourer himself seemed to favour the retention of an Act under which he received a bonus.

The majority of the Committee, however, found that there were many abuses under the Act, though amended, of which the following were the most evident : (1) illegal arrest of absconders ; (2) replacement of local agreement under Act VI of 1901 by long-term agreement under Act XIII of 1859 ; (3) placing minors under contracts and often arresting them and sending them into jail and (4) illegal return of labourers from jail to complete their contracts on gardens. The Committee considered that any penal contract was an anachronism, that the free-

dom of labourers was considerably restricted under the existing system, and that labourers had to accept wages lower than those which they could have got had they been free. Moreover, the system interfered with free recruitment of labour. They, therefore, recommended the abolition of the Act.[1]

Attempts were soon made by several members in the Legislative Assembly to bring about measures repealing the Workmen's Breach of Contract Act of 1859, also those sections of the Indian Penal Code which provided for criminal penalties for breaches of contract by workmen. In 1923, the Government of India gave assurance of bringing measures to that effect, and, in 1924, introduced an official Bill repealing both the Act and the Penal Code sections, under which workers could be punished for breaches of contract. The Bill was passed in 1925, and came into force on the 1st April, 1926.[2]

While abolishing the Workmen's Breach of Contract Act of 1859, the Government of India indicated, however, that the provincial governments might give some temporary relief to employers. The Coorg Legislative Council, therefore, passed in 1926 a Bill providing criminal penalties to workers for breaches of contract employed in cultivation and production of tea, coffee, rubber and other agricultural products for five years. In the meantime, the question was also raised in the Madras Legislative Council regarding Planters' Labour

[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-23, pp. 75-92.

[2] *Ass. Lab. Rpt.*, 1926, p. 3 ; Clow, *loc. cit.*, p. 163.

Act of 1903, which provided penalties for breaches of contract. A Bill repealing the Act was passed by the Madras Legislature in 1927 and became operative at the beginning of 1929. The penal sanction in labour contract will thus disappear from British India by 1931.[1]

### 3. ADMINISTRATION OF THE LAW

Unlike factory and mining Acts, some of the plantation Acts, such as the Assam Labour and Emigration Act of 1901, and the Madras Planters' Labour Act of 1903 have been passed especially for local purposes, and the administration of the law is left entirely with Local Governments, which are empowered to make adequate rules for their enforcement, subject to the sanction of the Government of India.

For example, in exercise of the powers conferred by sections 183, 213 and 214 of the Assam Labour and Emigration Act of 1901, the Government of Bengal made several rules, the most important of which were the following.[2]

First, granting and regulating licences to contractors, sub-contractors and local agents, who in turn had to procure licences for their recruiters or garden sardars. Fees for licences as well as registration and medical examination were also fixed.

Second, provision by contractors, on pain of fine, of depots with separate accommodation for men and women

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[1] *Ibid.*, pp. 164-65.

[2] *Rules, Forms and Schedules under the Assam Labour and Emigration Act VI of 1901, Calcutta, 1901.*

unaccompanied by their wives or husbands. Each depôt had to have a proper supply of drinking water, hospital and medical supply, separate cooking sheds and latrine arrangements. Similar arrangements were to be made by licenced recruiters and garden sardars for the accommodation of their recruits.

Third, supervision and inspection of depôt or place of accommodation by the superintendent of emigration and by a medical officer. Registers had to be kept of each recruit including their full particulars as well as date of admission and departure of the emigrant. Procedure was also laid down for the execution of labour contract.

Fourth, the despatch of the recruits from depôts to labour districts under the care of a person appointed or approved by the superintendent of emigration, or by local agents or registrars. Arrangements had to be made regarding accommodation, food, drinking water and medical attendance. Procedure was laid down, in the case of the outbreak of cholera, regarding segregation, medical attendance and hospital accommodation,

Fifth, licensing of the masters of vessels and certification of the suitability of all arrangements by the superintendent of emigration. If the number of emigrants exceeded 50 persons, the despatch of such emigrants had to be made under the supervision of a licenced medical officer with a special boat turned into a hospital.

The Government of Assam also undertook the formulation of rules for repatriation of emigrants and for the regulation of working and living conditions on plantations, including housing, food and water supply, and

medical and sanitary arrangements. Specific rules were also laid down for supervision and inspection of the plantations by district, sub-divisional and other officers. It was also made compulsory for plantations to keep regular registers and submit periodical returns.

Modifications have since then been made in these rules, both by the Governments of Bengal and Assam. In 1908, the Government of East Bengal and Assam made some essential changes in the area of recruiting districts, in contracts and private arrest by employers. Further modifications were made after the enactment of the Assam and Emigration Amendment Act (VIII) of 1915 and that of 1925.

### 4. SUPERVISION AND INSPECTION

Unlike other labour legislation, plantation legislation had until recently to regulate both the recruitment and the employment of labour. Owing to the existence of the indenture system, recruitment had to be supervised by Government. Moreover, the employment of contract labour made it necessary to provide for more than usual inspection of labour conditions on plantations. The abolition of the contract system has simplified the work of both supervision and inspection, but even now the local agents, under whose supervision recruitment by garden sardars is carried on, have to be licensed, whereas the inspection of labour conditions is as great a problem on plantations as it is in other organised industries.

Provisions for the supervision of emigration were made by the first Plantation Act of 1863. It consisted chiefly of the regulation of recruitment and the examina-

tion of prospective emigrants before registration, and of sanitary and medical arrangements in depôt and *en route* from recruiting to labour districts in the following ways :

First, the recruiting areas were divided into several geographical units, each under a superintendent of emigration, with a sufficient staff of assistant superintendents, medical officers and embarkation agents.

Secondly, all the depôts were examined by superintendents as well as medical and other specially appointed officers. A responsible person, such as a contractor or his agent, had to live in the depôt, which also had to have a residential medical man appointed with the approval of the medical inspector.

Thirdly, before embarkation, emigrants were examined as to their physical fitness to undertake the journey, the routes were prescribed, and the despatch was made under proper escort. Vessels carrying emigrants were inspected and licensed, if they carried more than twenty emigrants. Licensed medical officers were attached to such vessels, and vessel-masters received waybills from embarkation agents. The emigrants were inspected *en route* by magistrates and detained in case of any outbreak of disease.

The main object of supervision or inspection of labour on plantations was the observance by plantations of the terms of contract. It consisted chiefly of the following: First, provision by the planters of proper housing accommodation, sanitation and medical help, drinking water food-grains and stipulated wages. Secondly, the limita-

tion of tasks, if found excessive, cancellation of contract in case of physical unfitness, and payment of wages at regular periods. It was also the duty of the supervising officers or inspectors to hear of the complaints of labourers in case of the non-fulfilment of contract by planters. Third, repatriation of labourers. It consisted of cancellation of the contract of those who were wrongfully recruited, or rendered physically unfit either by accident or disease to fulfil the contract, or whose terms of contract terminated.

In 1915 the recruitment by contractors was abolished and a Labour Board was created for supervising local agents under whom garden *sardars* had to recruit labourers. The main function of Government supervision has since then consisted only of granting licenses to the local agents on the recommendation of the Board, and of inspecting their work as well as that of garden *sardars*.

In 1928-29, there were 127 applications for the grant or renewal of licenses of local agents in British recruiting districts and 83 applications for the appointment of local agents in Indian States. At the close of the year, 41 local agencies were at work in different provinces. There were three supervisors, who visited 56 recruiting stations, 47 recruiting agencies and 10 transport agencies.[1]

The procedure for the inspection of labour conditions on plantations was also first provided by the Act of 1865. The appointment of both protectors and inspectors was made compulsory. By the Act of 1870 the title of

[1] *Adapted, Ass. Lab. Rpt.*, 1929, pp. 1-2.

protector was abolished and instead inspectors and assistant inspectors were appointed with the power of suspending contracts and reducing the schedule of task.[1]

At first, inspection was compulsory only for the gardens employing Act-labourers, and such gardens were to be inspected at least once a year.[2] But, by the rules under the Act of 1882, the inspection of gardens employing more than 50 imported labourers was also made compulsory.[3]

In 1887, it was decided that the gardens declared unhealthy had to be inspected twice a year. Two years later a more elaborate system of inspection was laid down as to the number and season of visits.[4] In 1893 the standing orders for inspection were revised, and the procedure of an inspection at the second or third visit to the garden in the course of the same year was restricted to some specified points, except in the case of unhealthy gardens.[5] The system of inspection was further revised in 1895, and the Deputy Commissioner in each district was required to classify the gardens into three classes, namely, healthy or first-class, second class, and unhealthy, according to the state of health and the number of deaths. All unhealthy gardens had to be inspected twice a year by the civil surgeon or district medical officer.[6]

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1 *Ass. Lab. Rpt.*, 1978, pp. 7-8.
2 *Ibid.*, 1880, p. 5.
3 *Ibid.*, 1883, pp. 16-17.
4 *Ibid.*, 1889, p. 50.
5 *Ibid.*, 1893, p. 66.
6 *Ibid.*, 1895, p. 84

Further changes in the procedure of inspection were made in 1904-5. The number of gardens in the district of Cachar being unusually large, biennial inspection was sanctioned. This innovation reduced the number of gardens liable to inspection from 709 in 1904-5 to 609 in 1905-6.[1] In 1906 this biennial system was extended to other districts and it was decided that only those estates of which the management was open to question were to be annually inspected. This ruling reduced the number of gardens which became liable to annual inspection still further.[2] As a result of the abolition of contract labour by the Assam Labour Emigration Act of 1915, the Act-labour ceased to exist in 1919-20 and only the gardens employing more than 50 labourers became subject to inspection.

The effect of these changes in the system of inspection may be best seen in the proportional number of gardens inspected in 1928-29 as compared with those in 1883, when the records on the exact number of gardens employing Act-labourers and more than 50 non-Act labourers, or both, first became available. The number of such gardens increased from 698 in 1883 to 875 in 1928-29, while the number of gardens which became liable to inspection declined from 698 to 379 and of gardens actually inspected from 567 to 347, as shown in the table below. It is thus seen that during the 46 years under consideration there has been a decrease, both absolute and relative, in the number of gardens

[1] *Ibid.*, 1904-5, p. 8 ; 1905-16, p. 8.

[2] *Ibid.*, 1905-6, p. 8.

inspected. A similar decline has taken place in the total number of inspections, which was 815 in 1900 and only 352 in 1928-29. It must be remembered that it was mostly in the case of unhealthy gardens that regulation was made for more than one inspection.

INSPECTION OF TEA-GARDENS IN ASSAM[1]

| Year | Gardens employing Act-labour or more than 50 labourers | Gardens liable to inspection | Gardens inspected once or more. | Total No. of inspections. |
|---|---|---|---|---|
| 1883 | 698 | 698 | 567 | |
| 1900 | 752 | 752 | 749 | 815 |
| 1920-21 | 775 | 385 | 374 | 383 |
| 1928-29 | 857 | 379 | 347 | 352 |

The success of inspection depends largely upon the personnel. Even as early as 1878, the Assam Government was strongly of opinion that the duty of inspection should be performed as far as possible by the executive officers of each district rather than by a specially appointed officer exclusively. Both the local experience and the proximity to gardens enabled them to make most effective inspection.[2] In Assam such executive officers were deputy commissioners, and a fair proportion of inspection was performed by them, but the largest number of inspections were made by assistant deputy commissioners, civil surgeons and other officers.[3]

The relaxation of inspection is partly due to the lack

[1] Compiled from *Ass. Lab. Rpts.* for years indicated.
[2] *Ass. Lab. Rpt.* 1878, p. 7.
[3] Out of 352 inspections in 1928-29, 173 were made by deputy-commissioners.

of responsibility on the part of Government resulting from the abolition of contract labour, and partly to the general improvement of the conditions on plantations. But that the discontinuance of inspection would be a mistake was the opinion of the Assam Labour Enquiry Committee of 1921-22. The Committee pointed out that even the biennial inspection had become a sort of routine work, being often carried out by junior and inexperienced officers, and the reports on inspection were very meagre in detail. The Committee suggested to have more information on conditions and wages of labour, and emphasised the importance of inspection of unhealthy gardens by civil surgeons, inasmuch as it related to specific points in connection with health and sanitation, and thus produced a good effect.[1]

### 5. OFFENCES AND PENALTIES

Until very recently criminal offences under plantation legislation covered a very wide field. The violation of both the rules of recruitment and the terms of contract fell within its sphere. Moreover, the employment of labour by planters under the Workmen's Breach of Contract Act of 1859 added new duties to the plantation law. The amendment of plantation legislation in 1920 and the abolition of the Act of 1859 in 1925 have, however, greatly limited their scope at present.

The offences committed on plantations until 1925 might, therefore, be classed under two headings, namely, those under plantation legislation proper and those under

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[1] *Op. cit*, p. 105.

the Workmen's Breach of Contract Act. Since desertions formed one of the most important classes of offences, they might conveniently be considered separately.

## DESERTIONS

The commonest offences among the labourers on tea-gardens in Assam were desertions. Deserters really meant those labourers who were employed under contract, and who left their work before the expiry of the terms. But up to the year 1902-3, even those labourers who were not under contract and who simply left work without permission were regarded and returned as "deserters." They were not, however, punishable by law.

No data are available on desertions among the Act or contract labourers prior to the year 1877, when the number of desertions was 2,584, and rose to 6,432 in 1897, and was only 172 in 1917-18, two years before the Act-labourers ceased to exist. As far as the proportion of desertions to the total number of Act-labourers is concerned, the percentage upon the mean strength fell from 5.65 in 1877 to 2.95 in 1900, and was 8.9 in 1917-18. Desertions among the Act-labourers were comparatively high during the last few years of the contract system.[1]

Actual desertions were, however, much larger than those indicated by the above figures. Many runaways, who were caught within the immediate vicinity of gardens while attempting to escape, and even those who were recaptured by employers and were not taken to the police

[1] Compiled from the *Ass. Lab. Reports* for years indicated.

station as required by the law, were sent back to the gardens and were not returned as deserters.[1] Besides, there were also desertions among children, some of whom were employed on gardens ; for instance, in 1884, out of a total of 9,855 deserters, 1179 or 12 per cent. were children.[2]

There were various causes which led the labourers on gardens to desert their work. The very feeling of work under compulsion, as stipulated by the terms of contract, although entered into more or less willingly, created an impulse for desertion. This was aggravated by not often finding themselves at home in the strange working and living conditions in a distant country, or by discovering that their position was quite different from what they were often led to imagine. Desertions were thus naturally much more common among the newly arrived than among the old resident labourers. For the same reason an increase in immigration was generally followed by a corresponding increase in desertion.[3]

Private quarrels, personal jealousies and heavy indebtedness were also among the factors causing restlessness and desertion among labourers.

Facilities for escape formed one of the strongest inducements to desertion. Since the deserters from Cachar and Sylhet could easily escape into Bengal, where they could find some other job, or go to Hill Tippera,

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1 *Ass. Lab. Rpt.*, 1886, p. 17.
2 *Ibid.*, 1884. p. 26.
3 . 1888, p. XIV.

where they were welcomed as useful cultivators, the number of deserters in these two districts was much larger than in any other in Assam.[1] For the same reason, the number of men deserters was invariably larger than that of women deserters. It was harder for women to escape, hampered as often they were with children. Moreover, women labourers were generally married, and, if they wanted to desert, they had to leave gardens with their husbands and children and thus rendered themselves more easily liable to arrest.

Outbreaks of epidemics and unhealthiness of gardens were among the important causes of desertions. That increased mortality was followed by increased desertion was noticed as early as 1878. When some members of a batch of labourers died of epidemics, the remaining labourers became panic-stricken and tried to escape, if there were any possibility of doing so.[2] For the same reason there were more desertions among the labourers on unhealthy gardens. As early as 1891, Government called attention to the necessity of discriminating in inflicting punishment upon deserters from healthy and unhealthy gardens.[3]

One of the most important causes of desertion was enticement. Managers of some gardens often preferred to make up their labour force without importing. It

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[1] In 1897, for instance, the percentages of desertions on the mean strength were 11.05 and 10.02 in Cachar and Sylhet respectively as compared with 4.38 for the whole province. *Ass. Lab. Rpt.* 1897, p. 26.

[2] *Ibid.* 1878. p. 12

[3] *Ibid.* 1891, p. 25

was the opinion of several inspectors that the runaways from one garden were often secreted on another with the connivance of the manager.[1] One of the objects of the amendments of plantation legislation was to prohibit such enticement, but in spite of penalties provided for, enticement had continued to exist.

The desire to ameliorate economic conditions was, however, the strongest incentive to desertion, especially among the non-Act labourers. Even enticement was made possible through the offer of higher remuneration. In order to obtain higher wages, labourers often deserted one garden for another, or even tea gardens for other industries. During the early 'nineties, the number of desertions increased because of the fact that the Assam Bengal Railway, which offered higher wages, was under construction in the neighbouring districts of the tea-gardens.[2] For the same reason, the longer period of contract induced desertion. It was very hard for a man who had contracted for four or five years to resist the temptation to abscond when he saw other labourers coming up every year and receiving higher bonus as often was the case. By presenting himself in another garden, he could easily secure a higher bonus also for himself.

The terms of contract made desertion a criminal offence, and all deserters under labour contract were liable to arrest and prosecution. There were several agencies by which deserters could be arrested, namely,

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[1] *Ibid.* 1883. p. 28

[2] *Ibid.* 1895. p. 49

summons, police, warrant and manager. The most important feature of the terms of contract was the arrest by managers, as will be noted later on. Under Section 195 of the Act of 1901, as modified up to July 1, 1910 the employer or any other person authorised by him could arrest a deserter without warrant, unless the latter was within five miles of the residence of a magistrate or in the service of another employer, in which case a warrant was necessary for arrest. The persons authorised to arrest deserters were not necessarily connected with gardens. Even outsiders could effect an arrest with the hope of reward. Many hill tribes outside the gardens were often engaged in such work.[1] Comparatively few deserters were arrested by summons and police. Warrant as an agency of arrest was also often ineffective. By far the majority of the arrests were made by managers.

Penalties for the offence of desertion were either fine or imprisonment, or both. In the beginning, the penalties were more drastic, and imprisonment might be extended to three months for all kinds of desertions. But by subsequent amendments, they were modified. For instance, under Section 198 of the Act of 1901, as modified up to July 1, 1910, a deserter could be punished with a fine of Rs. 20 or one month's imprisonment or both for the first offence, with a fine of Rs. 50 or two months' imprisonment or both for the second offence, and with a fine of Rs. 100 or three months' imprisonment or both for

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[1] In 1903-04 several ferrymen were found making arrests and illegal detention of suspected persons. The practice was, however. immediately stopped by law. (*Ibid*. 1903-04 p. 11)

the third or subsequent offence. When a deserter actually suffered imprisonment for a period amounting to six months in the aggregate, his contract could be cancelled.

As a result of prosecution, a large number of convictions took place. In 1885, for which the first data on arrests and convictions are available, out of 3,921 deserters, 558 or 14 per cent, were arrested and 482, or 12 per cent., convicted. The number of convictions was, however, the highest in 1892, when out of 1,055 deserters arrested, 992 or 94 per cent. were convicted.[1]

DESERTION AMONG ACT-LABOURERS IN ASSAM

DESERTIONS [2]

| | Number | percentage in mean strength | Arrests | Conviction | Imprisonment[3] |
|---|---|---|---|---|---|
| 1885 | 3,921 | 4.61 | 558 | 482 | — |
| 1900 | 3,949 | 2.95 | 362 | 323 | 294 |
| 1917-18 | 172 | 8.90 | 26 | 2 | 2 |

BREACHES OF CONTRACT.

Similar to desertions were the criminal offences under the Workmen's Breaches of Contract Act (XIII) of 1859. In fact, desertions themselves were breaches of labour contract and the offences under the Act of 1859 often involved also desertions. But the terms "breaches of contract" are here used more or less in the technical sense and imply the violations of only those contracts

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[1] *Ass. Lab. Rpt.*, 1892, p. 25.

[2] Compiled from the *Ass. Lab. Rpts.* for years indicated.

[3] The data on imprisonment are not available prior to the year 1900

which were entered into under the Act of 1859. These offences consisted of neglect or refusal by labourers to perform, wilfully or without reasonable excuse, the work which they undertook and for which they received advances of money. Under the original Act, there was no limit to the amount of these advances, but by the Amendment of 1920, the amount for which offences could be instituted was limited to Rs. 300.

No data are available on the cases instituted by planters against labourers until 1899, when the number of such cases was 418, and rose as high as 1,604 in 1920-21, as shown in the table below. That the number of cases in proportion to that of the labourers employed under the Act is rather small is indicated by the fact that even in 1920-21, where such cases reached the highest figures, there were only 1,604 cases for 270,443 contracts, *i. e.* .59 per cent.[1]

BREACHES OF CONTRACT ON ASSAM TEA-GARDENS AT SPECIFIED PERIODS.[2]

| Year | No. of cases | No. of convictions | persons imprisoned |
|---|---|---|---|
| 1899 | 418 | 149 | 34[3] |
| 1907-08 | 1,115 | 523 | 74 |
| 1913-14 | 1,192 | 370 | 111 |
| 1920-21 | 1,604 | 278 | 63 |
| 1925-26 | 67 | 29 | —— |

[1] Ass. Lab. Enq. Com, Rpt. 1921-22, p. 83.

[2] Compiled from Ass. Lab. Rpts. for years indicated,

[3] Includes fines.

The records on convictions are, however, available since 1887, when 87 labourers were convicted for breaches of contract under this Act.[1] The total number of convictions was 149 in 1899 and rose as high as 523 in 1907-08, as shown above. It must be mentioned that all the cases were not tried owing to the fact that many absconding labourers could not be found.

Convictions under the Act of 1859 were more of the nature of civil trials, inasmuch as in the majority of cases persons convicted were given the option of completing contracts or refunding advances,[2] but fines and imprisonments were also some of the features of the punishment.[3] In 1913-14, for instance, the number of persons imprisoned for the breaches of contract amounted to **111**, which was the highest figure on record for the imprisonment of plantation labourers under this Act.

The period of imprisonment under the Act might extend to three months, but as a rule few persons were given such long sentences. It generally varied from a few days to a month or a little over.[4]

Under the Act of 1859, the labourers were, however, entitled to sue the employers in case the latter refused to grant discharge certificates. In 1925-26, for instance there were 142 such complaints, of which 96 were successful.[5]

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[1] *Ass. Lab. Rpt.*, 1887, p. 21.
[2] *Ibid*, 1893, p. 31,
[3] *Ibid*, 1891, p. 22.
[4] *Ibid*, 1892, p. 22.
[5] *Ibid* 1925-26, p. 4.

Violations of the Act of 1859 by planters generally arose from three distinct sources: first, contracts taken from minors ; second, illegal prolongation of the terms of contract ; (The Amendment of 1920 limited the terms to one year, but longer contracts continued to exist in some districts.) third ; the most flagrant violation of the Act of 1859 was, however, the practice of private arrest which was permitted only in the case of the contracts under plantation legislation. The extent of such offences on the part of planters might be gauged by the fact that it became a subject of comment by the Assam Labour Enquiry Committees of both 1906 and 1921-22.[1]

### Other Offences

Most of the criminal offences on tea-gardens in Assam fell, however, under the plantation law, and of these, desertions have already been dealt with. The remaining offences might be ascribed to three different agents, namely, recruiters, employers and employees. Every Act enacted since 1863 provided various penalties for the violation of its provisions. The nature of these offences and of the penalties for them may best be judged from those provided under the Act of 1901, as modified up to July 1, 1910.

The offences of recruiters, including licensed or unlicensed contractors, garden sardars, local agents and masters of transporting vessels, were of various classes, of which the following were the chief: (1) Recruitment in contravention of the law, wilful misreprentation by

[1] *Op. cit*, pp. 105 and 86 respectively.

recruiters, removal of unregistered persons from recruiting districts and failure to provide proper food ; (2) failure of garden sardar to report himself or to comply with the instructions endorsed on the way-bill and his abandoning labourers or making them over to contractors ; (3) local agents working with contractors ; (4) vessel masters receiving passengers on board together with Act-labourers, fraudulent alteration of vessels after grant of license and non-compliance with conditions regarding food, clothing, medical help, embarkation, debarkation and stoppage. The number of complaints preferred against garden sardars was rather large in the earlier years, but improvement in the system of recruitment under the supervision of the Assam Labour Board has led to the diminution of such offences in recent years. In 1928-29, for instance, out of 44,758 sardars employed in recruiting, only 75 were prosecuted for criminal offences. [1]

Employers' offences might relate to any of the following : (1) refusal or omission to keep registers; (2) obstruction to inspection; (3) compelling labourers to perform work for which they are unfit ; (4) failure to provide housing and hospital accommodation ; (5) causing labourers to live on plantations declared unfit for residence ; (6) refusal to endorse labour contracts ; (7) neglect to comply with request of labourers wishing to redeem unexpired term ; and (8) failure to take deserters to police station after arrest. To these might also be added the crime of violence, intimidation or

[1] Report of the Assam Labour Board, 1928-29, p. 7.

oppressive treatment to compel re-engagement or otherwise.

Complaints of the above offences against planters were very small in number even in the earlier years and except those of refusal of discharge certificates, and they have still further diminished in recent years. The most serious complaints against planters were, however, those of intimidation, assault and confinement for renewal of engagement or otherwise. The total number of cases against planters was 666 in 1902-03, and rose as high as 804 in 1924-25, of which 775 were for discharge certificates. In 1928-29 there were only 90 complaints against them.

The offences of labourers under the plantations Acts, except those of desertion, were chiefly the following: (1) refusal without cause to execute contract at depots or gardens after having been legally registered; (2) unlawful absence from work or absence for seven consecutive days without cause; (3) drunkenness or neglect of sanitary regulations; (4) desertion after having exacted labour contracts. A large number of offences committed by labourers fell under the penal code. Most of them were those of riots, illegal assembly, assault, or intimidation.

The complaints generally preferred against labourers were those for unlawful assembly, rioting, assault or intimidation, but the most common complaint against them were for non-fulfilment of contract. In 1907-08, for instance, there were 1,727 of such complaints. Taking all the cases against labourers together, the number of

complaints rose from 1,277 in 1902-03 to 1,789 in 1907-08. In 1928-29, there were only 59 such complaints.

The number of convictions in proportion to the complaints against the planters was rather small. Most of the complaints were with reference to compulsion for renewing contracts, but they could be dealt with executively under Section 155 of the Act of 1901. Out of 655 such complaints in 1925-26, 475 were similarly disposed of.[1] Other complaints were disposed of by regular processes in the court. The largest number of convictions in the case of labourers were non-fulfilment of contract. Thus in 1902-03, out of 1,115 cases, 248 convictions were effected. [2]

The nature of the penalties for these offences may best be judged also from those provided under the Act of 1901, as modified up to July 1, 1910. The penalties for these offences committed by recruiters or in connection with recruitment consisted of fines averaging from Rs. 20 to Rs. 1,000 or imprisonment varying from 1 to 6 months or both ; for those committed by planters, consisted of fines varying from Rs. 50 to Rs. 500 except in the case of enticement, where there might be imprisonment for not more than a month, and for those committed by labourers consisted of forfeiture of wages or of fines varying from Rs. 5 to Rs. 20. But in the case of deserters, as noted before, the fine might extend from Rs. 20 to Rs. 100 or imprisonment from one month to three months.

[1] Compiled. *Ass. Lab. Rpt.*. 1925-26, statements.
[2] *Ibid*, 1902-3, p. 2.

# CHAPTER IV

## CONDITIONS OF EMPLOYMENT

The conditions of employment form a very important phase of plantation labour. Although akin to agriculture, a plantation has peculiarities of its own ; first, it is generally a large-scale capitalistic enterprise and, therefore, partakes of the nature of modern organised industry ; second, it is often located in isolated places away from populous communities and thus dependent upon imported labour ; third, labourers often have to live on a plantation, or in its vicinity, which is generally the property of the planter ; finally, most of the plantations in India have been financed and managed by foreign capitalists, who wanted to have a hold on their labourers in their pioneer industries, as noted before. All these factors more or less contributed to the development of the indenture system or contract labour under penal sanction. Although both the identure system and penal sanction have been abolished, as shown before, their effect is still noticeable in the terms of employment. Moreover, scarcity of labour supply for plantations: remains as great a problem as ever, affecting the conditions of employment.

### I. SUPPLY OF LABOUR

In spite of immense potentiality, the supply of labour in India is quite inadequate to the demand of the organised industries. The most difficult question of labour supply

arose in connection with plantations, especially the tea-gardens in Assam. In fact, the supply of labour to Assam has been the motive force of the origin and growth of plantation legislation and of its various enquiries, committees and commissions. The impediments to the free flow of labour into Assam might be classed under two categories, namely, those which are the results of the conditions in labour districts in Assam and in recruiting districts in other provinces, and those which are related to the legislation and its working.

The distance and isolation of Assam from the rest of the provinces is itself an impediment to the free movement of labour to Assam gardens. Owing to ignorance and illiteracy, very few people in recruiting districts know of the actual conditions of work in Assam. The reported unhealthiness of Assam, high rate of mortality among immigrants and long and tedious journey, especially in the earlier years, made work in Assam very unpopular. Moreover, some of the recruiting districts were depleted by famines, epidemics and previous emigrations. The increasing demands for labour by other industries, such as those of jute, coal, docks and harvesting in Bengal and by plantation industries in Burma and Straits Settlements were also responsible for diverting the flow of labour from Assam to other provinces.

The most important causes of labour shortage in Assam have, however, been those which were connected with legislation for emigration and employment of labour. There has been a sharp resentment among all classes of the people against the mal-practices of free emigration

existing under some of the emigration Acts, such as the Act of 1882, by which irresponsible and unlicensed recruiters conveyed, by fraud and deception, many ignorant and unsuspecting men and women to Assam, and practically sold them to planters to be placed under labour contracts. The *Arcatis*, as the professional recruiters were known, were regarded by the people as "the scum of the earth" and "heartless scoundrels" and were feared as much as a "man-eating tiger." In most of the districts where free recruiting prevailed, the same tale is told of deception, of misrepresentation, of entrapping people on bazaar days, when they had something to drink, and of cajolement of single women, who were offered various inducements.[1]

The working of the law itself, such as the registration of the emigrants, was a tedious process. But what irritated the labourer most was the penal contract with its accompanying restrictions on personal freedom. The very fact that so few labourers returned home after the completion of their contract in Assam kept others from going there. There was a common belief that the labourer was forced to renew his contract and was too poor to pay his journey back. Moreover, the rate of wages was too low to attract outside labour, especially as higher wages were offered elsewhere. The general public had the same opinion as the workers on these questions.

All these mal-practices in recruitment and these conditions on plantations created deep antipathy against labour in Assam. Although the indenture system and

[1] *Ass. Lab. Enq. Rpt.*, 1906, p. 23.

the Breach of Contract Act of 1859 have been abolished and the conditions of employment improved, aversion against Assam plantations exists to a large extent in the minds of the people even to-day.

## 2. IMMIGRATION INTO ASSAM.

Since the very beginning, tea industries in Assam have been dependent upon immigration for their labour supply, as noted before. Nothing is definitely known of the exact number of immigrants who came to Assam in the earlier years. In 1877, their number amounted to 31,897 and, rising as high as 221,171 in 1918-19, stood at 68,600 in 1928-29, as shown in the table below.

There have, however, been great fluctuations in the number of such immigrants.

LABOUR IMMIGRATION INTO ASSAM
(SHOWN AT SPECIFIED PERIODS).[1]

| Year | Men | Women | Children | Total |
|---|---|---|---|---|
| 1877 | 15,205 | 10,558 | 6,134 | 31,897 |
| 1897 | 34,842 | 31,486 | 29,603 | 95,931 |
| 1908-09 | 74,980 | 60,630 | 87,143 | 222,753 |
| 1928-29 | 37,161 | 16,548 | 15,191 | 68,900 |

Besides the immigrants mentioned in the above returns, there has always been a certain number of other immigarnts. Some of the labourers were imported by employers without conformity to the legal procedure, while others, though often very few in number, came to Assam in search of work entirely of their own accord and without

[1] Compiled from *Ass. Lab. Rpts.* for years indicated.

any outside assistance. Both these classes of immigrants escaped official records and were often employed as time-expired labourers.[1]

There were several causes of the variation in number of the immigrants into Assam:

First, the growth in the intensity of cultivation and the consequent increase in demand for labour were naturally followed by a corresponding increase in labour supply, of which there is always a great potentiality in India. Business depression, on the other hand, has often led to the contrary results. From 102,089 in 1919-20, for instance, the number of immigrants fell down to 25,472 in 1920-21, *i. e.*, to one-fourth of its number.[2]

Second, harvest failures and impending famines have always led to the increase in the supply of labour. Famine was, for instance, responsible for the rapid increase in the number of emigrants from 46,530 in 1894 to 81,1115 in 1896[3] and from 19,407 in 1917-18 to 222,753 in 1918-19. Had not the recruiting areas suffered greatly from the epidemic of influenza, the emigration would have been still larger.[4]

Third, the closing and opening of districts to recruitment by different provinces have also marked influence upon the variation in number of the recruits. In 1923-24, for instance, the whole of the Madras presidency was opened to recruitment, and the number of immigrants

[1] *Ass. Lab. Rpt.*, 1879, p. 9.
[2] *Ass. Lab. Rpt.*, 1879, p. 9.
[3] *Ibid*, 1900, p. 3.
[4] *Ibid.*, 1918, p. 7.

into Assam rose from 21,654 in 1922-23 to 41,862 in 1923-24.

Among other factors, affecting immigration, must be mentioned industrial disputes in labour districts, the non-co-operation movement in 1921 and recruitment for the labour corps during the war.[1]

The proportions of women and children in comparison with men also vary from year to year. In 1928-29, for instance, out of 68,600 immigrants, 16,548 or 24 per cent, were women, as compared with 1901, when out of 26,223 immigrants, 10,036 or 38 per cent. were women. The same is true in the case of children. In 1928-29 there were 15,191 children or 22 per cent. of the total as compared with 87,143 out of the total 222,753 or 39 per cent. in 1918-19.[2]

The proportions of men, women and children are influenced by several factors. In the beginning of the tea industry, most of the recruits consisted only of men. In the year 1861, for instance, only 10 per cent of the immigrants were women.[3] But, as time went on, the proportion of women increased. The reason for such small proportion of women, specially in the earlier years, is that the journey was too long, the final destination unknown and the opportunity for women scarce.

The proportion of women among immigrants is also greatly influenced by the systems of recruitment. The garden *sardars* generally bring family batches with a larger proportion of women and children so that they

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1 *Report on Production of Tea in India* 1916, p. 8, and *Ass. Lab. Rpt.* 1922, p. 1.
2 Adopted from the *Ass. Lab. Rpts.* for years indicated,
3 *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 135.

might settle down in Assam. Contractors' recruits were of different types ; they were mostly single men and women consisting of a large number of "the waifs and strays of the population." On the other hand, a large number of women among immigrants was often due to the malpractices in recruitment. Women were more easily duped than men and were more readily caught by the wily recruiters, who often made a living by every act of deception.[1]

In the earlier years, most of the immigrants were imported under the contract system. In 1876, for instance, out of 34,283 immigrants, 19,913 or 73 per cent were under contract, *i.e.* Act-immigrants, as they were called. The number of Act-immigrants rose as high as 40,617, out of 95,931 in 1897, thus forming 42 per cent. of the total immigrants in that year. In 1915-16, the year before the end of immigration under contract, only 579 or less than one per cent of the immigrants were under contract, as shown below. Variation in the number of Act-immigrants was the result more or less of the same causes as in the case of other immigrants. But variation in the proportions of Act-immigrants to the whole number was due to the changes in the legislative measures relating to recruiting.

IMMIGRATION OF CONTRACT LABOUR IN ASSAM[2]

| Year | Total immigrants | Contract Immigrants Number | Contract Immigrants per cent of total |
|---|---|---|---|
| 1876 | 34,283 | 19,913 | 73 |
| 1897 | 95,931 | 40,617 | 42 |
| 1915-16 | 110,376 | 579 | 0·5 |

[1] *Ibid.*, pp. 36-37.
[2] Compiled frbm *Ass. Lab. Rpts.* for respective years.

## 3. SYSTEMS OF RECRUITMENT

The scarcity of local labour supply and the distance from the populous provinces made recruitment of labour for the tea-gardens in Assam a complicated problem, especially in the earlier years when transportation had hardly developed. Soon after the boom of 1859 the Lieutenant-Governor of Bengal recommended to Assam planters to adopt an organised system of recruitment similar to the one pursued by those in Mauritius, but they failed to respond to this suggestion and to adopt any definite policy. As a result, various systems of recruitment developed which might be considered under two general headings, namely, the contractors' system and the *sardari* system.

### THE CONTRACTORS' SYSTEM

The earliest recruiting of labour for Assam tea-gardens was done by contractors. Since there was no restriction upon the contractors the system became known as the free contractors' system. It led, however, to some gross abuses, such as deception in recruitment, insanitary conditions at the depôt and on steamers and country boats, and heavy mortality on the way to labour districts.

The system of requiring contractors to be licensed for recruitment was first introduced by the Act of 1863. Under this Act the recruiter had to appear with his emigrant before the authorities of the place where the emigrant was recruited, the intending emigrant was examined as to his willingness and physical fitness to

emigrate, and was then sent to a central depôt, where he was put under contract.[1]

The commission, appointed by the Government of Bengal to enquire into the state and prospects of the cultivation in Assam in 1868, found that even licensed recruiters employed a horde of unlicensed sub-recruiters, and labourers were induced to emigrate by misrepresentation, that registration in the district of recruitment was not an effectual check on the abuses, and that mortality among emigrants was still very high, numbering, for instance, 4,750 or 3·9 per cent out of the total of 108,180 emigrants from May 1863 to January 1868.[2]

The policy of free recruitment still continued and the Act of 1873 withdrew any restriction upon unlicensed recruiting, but at the same time provided that no contract in the labour district should be binding for more than one year unless made and executed under the Act. Further changes for facilitating free recruitment were made by the Act of 1882, sub-contractors were recognised, and all labourers for Assam could be brought to Dhubri in Assam where they could be put under contract. Free contractors took full advantage of this provision, and in a few years the bulk of recruiting was carried on outside the Act, subject to no control, sanitary or otherwise. In 1887, for instance, out of 25,835 emigrants arriving at Dhubri, 21,323 or about 85 per cent. were recruited by free contractors.[3]

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[1] *Ass. Lab. Inq. Com. Rpt.* 1906, p. 8.
[2] *Ibid.*, p. 138.
[3] *Ibid*, pp. 142-145.

The object of the Act of 1882 was to do away with the contractors' system. It had, however, the opposite effect and gave rise to many abuses. In order to remove some of these evils the Government of Bengal enacted the Act of 1889 empowering local Governments to prescribe routes of travel, accommodation, food supplies and other arrangements for labourers *en route* to labour districts in Assam. Abuses, however, continued to exist and even to increase. In 1895 the Commission appointed by the Government of Bengal to enquire into labour supply for large industries, recommended the abolition of the free contractors' system and the introduction of the system of initial registration in all recruiting districts.

The Act of 1901 giving effect to these recommendations made licensing and registration more definite by the following provision : (1) closing of any area to recruitment by unlicensed contractors ; (2) examination of intending emigrants as to their free consent to go to Assam without any coercion, undue influence, fraud, misrepresentation or mistake ; and (3) enquiry as to the consent of husband, lawful guardians or other relatives in case of a woman.[1]

In 1906 the Assam Labour Enquiry Committee found that the most unprincipled of the army of recruiters were the up-country men who were responsible for most of the abuses in connection with recruitment. The Committee recommended that a certificate should be taken from contractors as to the character of the recruiters working under them, and that only the native of a district should

[1] *Ibid.*, p. 25.

be licensed for recruiting in that locality. As a result of these recommendations recruitment by unlicensed contractors was abolished by the Government of East Bengal and Assam in 1908, and the recruitment by licensed contractors was also abolished by the Assam Labour and Emigration (Amendment) Act of 1915.[1]

## The Garden Sardari System

The most important system of recruitment, which has come down to the present time, is what is called the garden *sardari* system. The garden *sardar* is nothing but a common labourer employed in a garden and is called so only during the period when he is engaged in recruiting. He becomes a labourer again on the resumption of his regular work in the garden.

Garden *sardars*, including both men and women, are sent out by planters every year in the recruiting season, which generally begins in November and lasts from three to four months. They induce men and women to come to tea gardens in Assam, showing all the advantages of work and the prospects of ultimate settlement on independent holdings. Some of the prospective emigrants desire to join their relatives already in tea gardens, whilst others are forced to do so by poverty and scarcity at home. There are still others who come as adventurers. Planters prefer labourers to come with their families, as in that case they are more likely to stay permanently on gardens.

The garden *sardari* system had grown up in the district of Cachar and existed in contravention of the Act

[1] *Ass. Lab. Enq. Com. Rpt.* 1921-1922, p. 102.

of 1863. The advantages of this system were first realised by the Commission of 1868, which recommended the institution of private recruiting to be conducted by *bona fide* garden *sardars*. They were first of all to receive certificates from the magistrate of the district where the garden was located and have these certificates counter-signed by the magistrate of the district where the recruiting was to take place. This Cachar system was given legal sanction by the Act of 1870.

By this Act, garden *sardars* were divided into two classes, namely, those who were authorised to engage more than 20 persons and those who were not so authorisied. The former class were subject to the same provisions as licensed recruiters and had to take their recruits to a depôt for medical examination and registration before the formal contract, which was to be done within thirty days of their arrival at the depôt. The second class of *sardars* had to take their recruits to the magistrate in the district of recruitment for registration and contract, the copies of which had to be forwarded to the magistrate of the district where the emigrants were to be employed. On return to the gardens, such *sardars* had to report to the magistrate, who was to compare the number of persons recruited with those who actually arrived.

The Act of 1882 made the issue of the certificate and its counter-signature by the magistrates in the district of employment and the district of recruitment respectively more definite. It was also provided that emigrants recruited and put under contract could be rejected at Calcutta and the rejected emigrants were to receive the

cost of their return home. At the same time penalties were provided for misbehaviour by garden *sardars.*

The Act of 1901 granted further facilities to the garden *sardari* system. Provision was made for a special class of *sardars* who could recruit labourers in notified areas without registration. They had only to report the names of the recruits three days before their departure from the district, but the system did not succeed, as three days' unnecessary detention involved additional expense.[1]

The Act of 1901 also empowered local Governments to sanction further relaxation of the control over the *sardari* system in the case of particular agencies or associations of employers. Full advantage was taken of this provision by the Tea District Labour Supply Association, an organisation formed by the leading tea-firms in Calcutta as early as 1878. Local agencies were established in all principal recruiting districts, under the auspices of which *sardars* carried on recruiting for their respective gardens.

The Assam Labour Enquiry Committee of 1906 favoured granting still more increased facilities to recruitment by garden *sardars*, provided the emigrants recruited by them were not to be put under contract. They recommended that the whole responsibility for the conduct of recruitment should be placed upon the local agents, who were appointed with the approval of the Superintendent of Emigration. They also suggested that in addition to the ordinary sardars, a special class of

[1] *Ass. Lab. Enq. Com. Rpt.*, 1906. pp, 140-146.

sardars with higher qualifications could be employed so that they might recruit independent of local agents.

In 1908 the Government of India requested the Local Governments to give effect to these recommendations. In July, 1909, the Bengal Government exempted garden sardars under the control of the Tea District Labour Association and certain other similar organisations from some of the provisions of the Act of 1901 on condition that no persons engaged by such *sardars* should be required to enter into a labour contract under the Act.

The Assam Labour and Emigration (Amendment) Act of 1915 finally provided the establishment of a Board, called the Assam Labour Board, for the supervision of local agents and of recruitment by garden *sardars* generally. The Board was soon established. It was empowered, with the sanction of the Government of India, to levy a tax not exceeding Rs 5, on each garden *sardar* and on each labourer recruited, in order to meet the expense. Local agents are appointed and licensed on the recommendation of the Board. These local agents have replaced the Government registered officers, and are responsible for preventing abuses in recruiting. The Board has authority to appoint supervisors to assist in the supervision of the work of local agents and of recruitment generally.[1]

The *sardari* system has thus survived and replaced the system of recruitment by free and licensed contractors. Even in 1876, for which the earliest records are available, about 59 per cent. of the Act-workers were recruited by

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[1] *Report on the Production of Tea in India*, 1915, pp. 7-8.

garden *sardars*. This proportion declined slightly to 57 per cent. in 1901 but rose again to 98 per cent. in 1915-16 as shown below :

VARIATION IN NUMBER OF ACT-WORKERS RECRUITED BY SARDARI SYSTEM 1876-1915-16.[1]

| Year | Total Act workers | Sardari Act-workers | Per cent. of total number |
|---|---|---|---|
| 1876 | 20,813 | 12,309 | 59 |
| 1901 | 14,249 | 8,102 | 57 |
| 1915-16 | 5,279 | 5,222 | 98 |

At present the recruiting of labour for tea-plantations in Assam is exclusively carried on by garden *sardars*, who work under the control of licensed local agents appointed by the Tea Districts Labour Association and individual employers enjoying certain concessions granted under section 91 of Act VI of 1901.[2]

The number of garden *sardars* employed varies from year to year and so also the number of the immigrants they recruit. In 1917-18, for instance, 45,227 garden *sardars* were at work, who recruited 248,343 immigrants or 5.49 per *sardar*, but in 1928-29 the number of *sardars* fell to 44,751 who recruited only 73,198 immigrants or 1.63 per *sardar*.

VARIATION IN NUMBER OF SARDARS AND IMMIGRANTS.

| Year | Sardars | Recruits | |
|---|---|---|---|
| | | Total number | Per Sardar |
| 1917-18[3] | 45,227 | 248,343 | 5.49 |
| 1928-29[4] | 44,751 | 73,198 | 1.63 |

[1] Collected from reports and resolutions on Immigrant Labour into Assam for years indicated.

[2] Annual Report on Emigration to the Labour Districts of Cachar and Sylhet, 1926, p. 1.

[3] Report on the working of the Assam Labour Board, Delhi, 1920, pp. 14-15.

[4] *Ibid*, 1929. p. 2

The remuneration of the *sardar* formerly consisted of a bonus varying from Rs. 5 to Rs. 40 according to the custom of the garden and the class of labourers recruited, but he generally received no pay while in recruiting districts. While recruiting, he received from the local agent a first advance, generally amounting to Rs. 10. As a rule no account was given of how this money was spent, as it was considered a necessary preliminary to enable the *sardar* to show some hospitality in his village. Subsequent advances, generally Rs. 10, were made when the recruitment was going on, care being taken that the total of the advances, excluding the preliminary advance, should not greatly exceed Rs. 10 per head of the emigrants brought in. In some cases the debts of intending immigrants were paid up, but this was usually done by the local agents. An account of the advances given and other expenditure incurred was then made up and sent to the garden, so as to enable the garden to settle up with the *sardar*. On return to the garden, the *sardar* received his bonus minus the advances made to him, but the way expenses were excluded. If the advances paid to him exceeded the bonus he should receive, the balance was not generally recorded.[1]

### 4. TERMS OF LABOUR CONTRACT

It has already been noted that contract labour in India on plantations has been developed under two series of legislation, namely, (1) the Workmen's Breach of Contract Act of 1859 and the two sections of the Indian Penal Code, and (2) Plantation Legislation, or Labour

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 44

and Emigration Acts for Assam tea gardens since 1863, the former leading to the contract system under penal sanction and the latter to the indenture system.

The object of the Breach of Contract Act of 1859 was to safeguard employers against "the fraudulent breach of contract on the part of artificers, workmen and labourers, who received money in advance on account of work which they had contracted to perform." It began to be taken advantange of by tea-planters in Assam in the 'sixties, as noted before, and the terms of contract under it were often mixed with those under plantation Acts.

The most important terms in favour of the employer were as follows :—First, verbal contracts were legal, whether they could be verified or redeemed. On most of the plantations a record of verbal contracts was, however, invariably kept either in the garden cash book or advance registers, or the register for the advancement of money, and the labourer's thumb impression was generally added to the entry. Second, although the contract was generally limited to a period of 313 days, it was often extended to 939 days. Third, a labourer could be prosecuted and imprisoned for breaking his agreement, though it contained no compensating provision for his protection.

Among the features more or less favourable to the labourer might be mentioned the following :—First, under the original Act, the employer had no power of arrest without warrant. Second, the magistrate was granted a wide discretion as to the reasonableness for the non-performance of the contract and the amount of punish-

ment to be inflicted. Third, when a labourer was once sentenced to imprisonment, he was no longer, liable to prosecution in respect of the contract under this Act.

The Amendment of Act XIII of 1859 by Act XII of 1920 brought about certain changes, the most important of which were the following :—First, agreements could be oral as before, but the entry on advance register and thumb impressions were made the proofs. The cases were valid only on an advance of money not exceeding Rs. 300. Second, the term of contract was limited to only 313 days and complains by employers had to be made within 3 months of the 'neglect or refusal on the part of the labourers. Third, the magistrate was granted discretionary power to enforce inequitabe contracts, to order for the repayment of advance or the performance of contracts and to pay compensation in the case of false, frivolous and vexatious complaints.[1]

In addition to the contracts executed under the Workmen's Breach of Contract Act, a large number of workers were also employed on plantations under ordinary civil contracts enforced under Section 492 of the Indian Penal Code. In 1895, for instance, 5,122 labourers were imported into various districts under this system of contract. The use of this system was, however, restricted to a few districts only.[2]

The indenture system on Assam tea gardens was first legally recognised by the Act of 1863, and elaborated

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[1] (*Act No. XIII of 1859 as modified up to Nov. 1, 1920.*) With the abolition of Working men's Breach of Contract Act from April 1 1926, contract labour came to an end.

[2] *Ass. Lab. Repts.*, 1895, p. 32 ; 1897, pp. 16-18.

by the Act of 1865. Among the most important terms in favour of the employer were the following:

First, a labourer was liable to a fine, including, in some cases, the forfeiture of his wages, for absence, negligence or idleness; he was also liable to 14 days' imprisonment for seven days' absence for second conviction within three months of the first offence. Second, the employer was empowered to arrest an absconding labourer without warrant if he was found in the same district and not in the service of another employer. But the employer was bound to hand over the labourer so arrested to a police officer or magistrate within 48 hours on pain of a fine of Rs. 500. Third, the penalty for desertion was three months' rigorous imprisonment and the period of absence through imprisonment was to be added to the term of contract. Fourth, any person enticing away, harbouring or employing a labourer under contract was liable to a fine of Rs. 500. Fifth, the terms of redemption of a contract were fixed at Rs. 120, or, if the contract had less than two years to run, at a sum equivalent to the minimum rate of wages for the unexpired term.

Among the provisions for safeguarding the interests of the labourer, the most important were the following:—First, the period of contract was limited to from three to five years, the rate of wages was fixed, every estate was to maintain a hospital, and, if any estate employed over 300 labourers, also a medical officer appointed by Government. Second, a protector of labour was appointed with the power to suspend, and even to cancel, a contract on

the ground of temporary or permanent unfitness through disease or accident. The duties of a protector were afterwards given over to an inspector. The employer was bound, on pain of a fine of Rs. 500, to notify a protector of the fact that a labourer in his service wished to make complaints. Third, compensation was awarded to the labourer, in case his wages were two months in arrear, and a contract could be cancelled in case of non-payment for six months or ill-treatment by employers.

By the Act of 1870, some modifications were made in the above terms, of which the most important were the following :—First, the terms of contract were to be made in writing, including the period of service, amount of wages in money and the price at which rice was to be sold. Second, the maximum period of the contract was retained at 3 years, and the hours of work were limited to nine hours a day and to six days in a week. Third, the transport of labourers except in the case of the recruits, numbering more than 20 persons, and by garden *sardars*, was to be regulated. Fourth, indolence could not be made a ground for punishing the labourer, but for desertion a labourer could be imprisoned for one month for the first offence, two months for the second offence, and three months for the third offence. Contracts could, however, be cancelled when a labourer's imprisonment amounted to 6 months in all. Fifth, the labourer was to get three months' wages if the contract was suspended or cancelled. Sixth, provisions were made for defining the nature of housing, water-supply and sanitary arrangements.

The most important changes brought about by subsequent Acts were as follows :

(1) The Act of 1873 provided that no contract made in recruiting districts otherwise than under the Act should be binding for more than one year.

(2) By the Act of 1882, contracts might be executed in labour districts, but a copy of the contract had to be forwarded to the inspector of the plantations who, if necessary, could cancel the contract or refuse the schedule of the task. Moreover, the labourer absent owing to sickness was to receive one and a half annas a day, but if such absence exceeded 30 days in any one year the excess days were to be added to the period of contract.

(3) By the amendment of 1901, no woman was allowed to bind herself by labour contract if her husband or guardian objected. It was also provided that for the first six months of residence at the garden the labourer was entitled to receive full wages on completion of half the task unless the inspectors in charge certified that he was physically fit to perform the whole task.

(4) Following the recommendation of the Assam Labour Enquiry Committee of 1906, the Government of India issued orders abolishing the right of private arrest. Moreover, a labourer could be put under contract only in the recruiting districts, and, if he was brought to Assam as a free immigrant, he could no longer be placed under contract by the existing law, nor could a time-expired labourer be put under contract. The indenture system came to an end by 1915. Since many employers took

advantage of the Act of 1859 as having a hold on the workers, it was not until the abolition of the above Act in 1926 that indenture as a legal system was finally abolished in India.

Besides the contract under the other two systems of legislation, which could be executed either in recruiting districts or at Dhubri in Assam, there was also the system of local contracts which had already existed in the districts of Sylhet and Cachar, and which was sanctioned by the Act of 1882. The objects of the local contract system were as follows: (1) Providing the planter with the system of penal contract instead of civil contract, so that he might have better control over his labour force. (2) Securing to the planter a uniform system of contract and to the labourers a uniform system of protection. (3) Encouragement to free emigration into Assam.

Local contracts as a method for the establishment of free immigration failed to materialise. The Assam Labour Enquiry Committee of 1906 recommended its withdrawal on the following grounds: first, free emigration was impossible unless there was also free labour; second, if an emigrant was to be put under an agreement, it was better done in his own village, where he was still a free agent, and among his own people, and could appear before a magistrate who knew his language. Moreover, there is no necessity for a local contract, as Act XIII of 1859 was sufficient to take its place.[1]

[1] *Ass. Lab. Enq. Com., Rept.*, 1906, pp. 97-98.

Local contracts could be executed either without the intervention of a Government officer under section 111 or in the presence of such an officer under section 112. In the beginning, by far the majority of the local contracts were executed under section 111.[1] It afforded long time contracts on the one hand and avoided the trouble of sending labourers to magistrates who were often far away from the gardens on business on the other. The advantages of contracts in the presence of a Government officer who could explain the terms to labourers was obvious, but planters scarcely took advantage of the system until 1893, when all local contracts for more than one year were prohibited unless executed under section 112. Since planters preferred contracts for longer periods, they resorted to this section. Most of the labourers giving local contracts were time-expired labourers. The duration of this contract generally varied from one to three years.

Local contracts without intervention of the inspector added some new disadvantages to the labourers. There was no provision that the terms of contracts should be explained to them before the execution, nor was it very likely that any objection raised by them was listened to. Moreover, labourers coming to Assam from different parts of the country, where they spoke different languages, were often unable to understand the language in which contracts were executed in Assam.[2] In order to avert

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[1] E.g. in 1884, out of 25,457 local contracts, 24,333, or 96 per cent were executed under section 111.

[2] *Ass. Lab. Report*, 1883, pp. 4 and 5.

some of these difficulties, provision was made that such contracts should be verified by inspectors, who were empowered to cancel any contracts executed without conformity to the law. As far as the actual work of verification was concerned, the task was, however, a very difficult one, because of the fact that tea gardens were all scattered, inspectors were few in number, and mustering all the labourers for inspection on the day fixed by an inspector was difficult. The Government, however, made it criminal on the part of planters not to comply with the request of the inspectors, and there was gradual progress in the work of verification. In the year 1892 for instance, 99 per cent. of all such contracts were verified.

## 5. TERMINATION OF CONTRACTS

Along with the conclusion of new contracts, a considerable number of terminations also took place every year. These terminations were effected in the following ways:

(1) *Expiry or efflux of time.* Since all contracts were generally made for three to five years, all labourers employed under plantation legislation had to renew their contracts periodically.

(2) *Cancellation*, which was generally brought about either with the consent of one or both parties or because of defects in the matter of recruitment or contract. Cancellation could be on the grounds of physical incapacity, irregularity in recruitment, or unhealthiness of gardens. In the last case the labourers of one garden

could be transferred to another if the latter belonged to the same company and were located in the same labour district.[1]

(3) *Redemption.* The cases where the labourers were able to redeem their contracts were, however, very few in number. Contracts for one year might be redeemed on the payment of Rs. 12, and every two years on the payment of Rs. 48. Most of the labourers were scarcely able to pay even such a small cash amount in case they wanted redemption.[2]

(4) *Dissolution by Mutual Consent.* It involved, however, some of the most difficult problems. With a view to reducing the death rate on their gardens, or to escape their obligations towards sickly and unsatisfactory labourers, planters were liable to exercise undue influence to secure the consent of labourers to such terminations.[3]

From 1886 to 1897 for instance, while the number of such contracts rose from 77,477 to 148,192, or doubled, the dissolution of contracts by consent rose from 155 to 2,250 that is increased by 15 times. Several inspectors, therefore, refused to recognise such terminations unless effected through Government agencies. Government however, refused to place such a dissolution on a legal basis.[4]

The most common cause of dissolution by common consent was the renewal of contracts under Act XIII of

[1] *Ass. Lab. Rpt.*, 1893, p. 25.
[2] *Ibid.*, 1889, p. 26.
[3] *Ibid.*, 1889, p. 15 ; 1897, p. 21.
[4] *Ass. Lab. Rpt.*, 1897, p. 21.

1859. It was a common practice in some of the gardens in Assam to cancel the original agreement on the expiry of the first three years of a four years' contract, and to substitute a fresh contract for the remaining term of the original period, the extra rupee per month which the labourers would have received for the fourth year of the contract being given in a lump sum as a bonus. This bonus often enabled the labourer to purchase cattle and other livestock, which added very considerably to his means of livelihood and to his bodily comfort.[1]

Whether such a procedure was really beneficial to labourers or not came under consideration by the Government of Assam in 1900. In some cases the bonus given compensated the labourers for the loss of increase in monthly payment which they would have earned, but some of the provisions which conferred advantages upon labourers in respect of rice, sick allowance, etc., were no longer binding on the employers. Labourers lost the higher rate of pay during the last year of their original contract and although they received the bonus, they would have got a bonus all the same if they renewed until the end of their original contract.[2]

Cancellation of contract on physical disability often involved repatriation, which formed one of the most important provisions of plantation legislation. Under sections **158-162** of Act VI of **1901**, for instance, it was provided that all labourers permanently incapacitated for the performance of work on plantations, whether engaged

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[1] *Ibid.*, 1895, p. 39.

[2] *Ass. Lab. Rpt.*, 1900, p. 7.

under the contract or not, and all those who were fraudulently recruited, were entitled to repatriation.

The procedure usually adopted in sending persons concerned to their homes from the Assam Valley was to send them in charge of a medical man on board the steamers to Dhubri, whence the Deputy Commissioner arranged for their journey onwards. Unescorted labourers travelling by land were liable to molestation and arrest. In 1899 Government realised the importance of adopting a uniform system of repatriation ensuring safe arrival of the labourers at their homes.[1] Of course, the number of labourers repatriated varied from year to year.

An issue was raised as early as 1885 whether it was advisable to send unfit labourers back to their homes. They were often better off if left with their friends and relatives in the gardens than if sent on trying journeys in more or less helples conditions.[2] In dealing with the question whether such labourers could be repatriated or not, the wishes of labourers were made, however, the main points of consideration.[3] As a matter of fact, the majority of labourers preferred to stay with their relatives and friends on the gardens, and were allowed to do so.

Another important point regarding repatriation was the payment of expenses incurred in sending invalid labourers to their homes. Orders were given in 1884

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1 *Ass. Lab. Rpt.*, 1899, p. 21.
2 *Ibid.*, 1885, p. 19.
3 *Ibid.*, 1896, p. 23.

and 1888 that expenses of repatriation for physically incapacitated labourers should be paid from a provincial fund which was founded by the local administration for the purpose. The amount to be awarded was the cost in excess of three months' wages paid by employers under law in case of labourers under contract, and the entire cost in the case of labourers not under contract.[1]

Until the law in force before Act VII of 1893 was passed, only those labourers whose contracts were cancelled for being permanently incapacitated could be repatriated and the cost could be recovered from employers only up to a maximum of three months' wages. The extra expenditure over this maximum was borne by Government. By the Amendment Act of 1893, the entire expense of repatriating such labourers was borne by employers, whether the cost exceeded three months' wages or not. The Act also legalised the debiting of such expenditure to the Inland Labour Transport Fund.[2]

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[1] *Ibid.*, 1888, Appendix, p. xiv.
[2] *Ibid.*, 1895, pp. 39-40.

# CHAPTER V

## INDUSTRIAL RELATIONS

One of the most important labour questions is of the relation between employers and employees. Since the beginning of the past century, there has been considerable improvement in labour conditions, but the relation between labour and capital has scarcely improved, in fact, it has become much more strained. The fundamental reason of this growing antagonism is the rise of class-consciousness and class-solidarity among the workers, which has been accompanied by an increasing demand for better conditions, higher wages and even the recognition of their status in business management. The capitalists, guided by both self-interest and vested rights, have scarcely shown any willingness to part with any of their rights and privileges. The growth of organisation on both sides has often led them to open conflict leading to industrial and social disorganisation.

In India, these conflicts are no doubt more pronounced in factories, mines and transports than on plantations, but even the latter industries have recently become subject to disputes. With increasing concerted action on the part of workers on plantations, industrial disputes are likely to increase. But the power of concerted action is still in the infant stage of development among the plantation workers.

## 1. EMPLOYERS' ASSOCIATIONS

Planters have organised themselves for corporate activities from the very beginning. The most important of the planters' associations in India are the Bihar Planters Association, Indian Tea Association, and the United Planters' Association of Southern India.

The Bihar Planters' Association dates back to 1801, when the indigo planters formed themselves into an association for safe-guarding their common interests. It was re-organised in 1905 under the present name.

The Indian Tea Association was founded in 1881 with the object of promoting the common interests of all persons concerned in the cultivation of tea in India. The membership consists of proprietors, managers and agents of tea estates. Since 1900, the Association has maintained a scientific department for research in the interest of the industry, and nominates one member to the Bengal Legislative Council.

The United Planters' Association of Southern India (Incorporated) was organised in 1893 with a view to promoting the interests of various planting industries carried on in Southern India. The Association maintains a scientific department and four experimental station, and also publishes a weekly paper called *The Planters' Chronicle.* It elects an additional member to the Madras Legislative Council. The Association has also a labour department with six divisional officers and agents throughout India.[1]

[1] Cotton, E. W. E. *Handbook of Commercial Information for India,* Calcutta, 1924, pp. 31, 45.

All these planters' associations were organised for preserving their own business interests, namely, research, cultivation, marketing and other facilities. On the question of labour they have a common policy. The Tea Planters' Association and the United Planters' Association of Southern India act together in demanding uniform law and regulations for recruitment of labour, conditions of employment, and terms of contract. By their representatives on the Legislative Councils and also in the various Commissions and Committees appointed on the question of plantation labour, they influence the policy of the Government towards labour.

2. LABOUR ORGANISATION

In contrast with the employers, the labourers on plantations are nothing but incoherent and unorganised masses. They have no knowledge of the place and nature of their work, nor do they understand their relationship with their employers. They have been quite unable to take organised action for promoting their common interests.

There are several hindrances to organised activities on the part of the workers :

1. They are illiterate and ignorant and are unable to organise themselves into trade unions for concerted action.

2. The very composition of plantation workers makes such combinations rather remote. They are mostly recruited from the poorest and most ignorant classes of the people. It is their helpless condition rather than any spirit of adventure that leads them to emigrate. Moreover, most of the labourers are recruited

during a time of famine or scarcity, and when they arrive in the gardens they are often in debt and in a helpless condition.

(3) The very nature of plantation industry is detrimental to labour organisation. Plantations are scattered over a large area, giving scarcely any opportunity to the labourers in one garden to come into contact with those of others.

(4) The condition of living is still another detriment. Most of the workers live on the plantations and any strike on their part means eviction with their families.

(5) The remoteness of the plantations from cultural centres including the places of industrial and political activities and the difficulty of labour leaders and political workers in entering plantations are also among the important reasons for the absence of sufficient activity on the part of plantation labourers.

(6) Finally, precautions and vigilance on the part of the planters against any concerted action by the labourers form still another hindrance to the growth of concerted action and organised activities on the part of the labourers.

In spite of all these difficulties, the feeling of cohesion and consciousness of class interest have been growing among the workers on various plantations, as indicated by the rising disputes between planters and workers, especially during recent years.

### 3. INDUSTRIAL DISPUTES.

Nothing is definitely known about industrial disputes between employers and employees in the early years of

the plantation industry except for the frictions in the form of assaults and riots already referred to. Considering the strength of the labour force, which, for instance, amounted to 323,000 in 1887, there was bound to be, to quote the official report,[1] "a certain amount of harshness and oppression, at times possibly even of downright cruelty, on the one side, and of turbulence, conspiracies and maliciously concocted charges, on the other," which there were "criminal courts strong enough to deal with." "Speaking generally," continued the same report, "the relations between the employers and the labourers seem to be fairly good."

All these assaults and riots, especially the latter, which amounted to 106 in number in 1891,[2] could not, however, be regarded as ordinary crimes. Organised opposition and "combination" among plantation labourers were noticeable as early as 1884,[3] and some of these frictions were originally nothing but industrial disputes and became "riots" only for the lack of capable leadership among the illiterate and isolated groups of labourers working under the indenture system. The very fact that labourers could be punished for "illegal assembly" shows that planters took ample precaution to prevent any concerted action on the part of labourers to redress their grievances, and that this provision of the law was effectively utilised by planters is indicated by the fact that in 1902-03, 82 labourers were imprisoned for illegal assembly including rioting.[4]

[1] *Ass. Lab. Rpt.*, 1887, p. 6.
[2] *Ass. Lab. Rpt.*, 1887, p. 6.
[3] *Ibid.*, 1891, p.

*Ibid.*, 1884, p. 4.

Whatever might have been the case in the earlier years, there have grown up in recent years both consciousness of class interests and power of concerted action among plantation labourers. The first sign of such consciousness and power was seen at a tea-garden in Assam on September 6, 1920, when different sections of the labour force refused to turn out to work. It was soon followed by numerous strikes in various gardens in different parts of the province. The climax of these disputes, was, however, reached in what is called the "Chargola exodus" early in May, 1921, when following a dispute 750 labourers walked out of a garden and were soon joined by labourers in other gardens. In a few days, 8,799 labourers out of a total of 20,250 in different gardens of the district left work. Some of these disputes were accompanied by assaults, riots and lootings in which both plantations and Government officials were attacked.[1] Of 167 labourers imprisoned for illegal assembly and riots in 1920-21, the majority were the victims of these industrial disputes. The number of labourers imprisoned for similar offences declined to 96 in 1921-22 and to 24 in 1925-26.[2] But these strikes and assaults are still in abundance. In 1929, a number of strikes involving from 100 to 672 workers took place both in the Surma and Assam Valleys and lasted from one to nine days.[3]

The principal causes of these frictions and disputes

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[1] *Ass. Lab. Enq. Com, Rpts.* 1921-22. pp. 6-20.

[2] *Ass. Lab. Rpts.* for years indicated,

[3] *Ass. Lab. Rpts.* 1929, Parts I and II, pp. 2, 3.

were economic, especially in recent years. The rate of wages in the tea-garden was low in the very beginning and had remained unchanged for a quarter of a century or more. It failed to respond to the great increase in the cost of living soon after the War. Moreover, owing to the depression in the tea-industry, the first item of work to be reduced was the *ticca* or overtime earnings. The situation was still more aggravated by the fact that *pari passu* with decreased earnings, the prices of the so-called concession paddy went up. For example, previous to 1920, the price was fixed at R. 2.25 a mound and in July onwards of that year it was raised to R. 3. 37. The result was the decrease in the real wages and in most cases, the labourers were worse off than they had been 20 years ago. Even in the case of the Chargola exodus, to which was generally ascribed a political cause, it was found that in many gardens the labourers were not earning a living wage before the exodus. [1] In September 1929 a party of 85 Bombay labourers, including women and children, left the gardens in the Surma Valley on account of not receiving a living wage and flatly refused to return. Although the manager lodged a complaint of rioting against them, the Superintendent of Police on enquiry established the truth of the workers' contention and found that they were insufficiently paid.[2]

Among the other economic causes of local character the following might be mentioned to be the chief : First

[1] *Ass, Lab. Enq. Com. Rpt.*, 1921-22, pp. 6-20.

[2] *Ass. Lab. Rpt.*, 1929, Part 2, p. 3. Most of the strikes reported above were due to inadequate wages.

enforced work on Sundays, excessive work and inadequate leave, whenever there was a shortage of labour supply; second, fines for bad work,[1] illegal deductions by the clerk from the wages and occasional withholding of wages by managers for keeping a hold on the workers. Third, short weights in measuring paddy, poor quality of paddy and high prices of food and clothing. Most of these allegations were found to be true by the Assam Labour Enquiry Committee of 1921-22.[2]

There was a feeling among labourers that justice was not duly and impartially administrated by Government in the controversies between the planters and themselves. "Europeans being administrators of justice in all disputes between European planters and labourers, it was impossible for them to be altogether uninfluenced by their natural feelings towards their fellow countrymen," as the official report put it in 1900.—"There is an undoubted tendency among magistrates in Assam," continues the report, "to inflict severe sentences in cases in which coolies are charged with committing offences against their employers and to impose light, and somewhat inadequate punishments, upon employers when they are convicted of offences against labourers."[3] This feeling of injustice often goaded the labourers to take the law into their own hands in cases of grievances and to strike work.

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[1] Some 200 labourers in a tea-garden in Tejpur struck work on 30th May 1929 because the manager fined some women, Re. 1 each for not planting "putes" properly. *Ass. Lab. Rpts.*, 1929, Part I, p. 3.

[2] *Loc. cit.*, pp, 6 to 20; *Ass. Lab. Rpt.*, 1902-03, p. 12.

[3] *Ibid.*, 1900, p. 23.

Personal insults in the form of kicks, blows or corporal punishment were still another cause of friction between planters and labourers, especially in the earlier years. The existence of such insults by planters to labourers was admitted by the Government. "The Chief Commissioner is not so sanguine", says the Report on Labour Immigration into Assam for 1899, "as to look forward to the day when Englishmen will altogether abandon the regrettable habit of giving a cuff or even a kick or a blow with a cane to natives of the labouring classes."[1] That some of the riots were caused by such personal insults was also admitted by the Official Report the following year. "Blows given by managers," continued the Report, "or more commonly assistant managers, to coolies, either for bad work or refusal to work, were the immediate causes of most of the rioting cases which occurred during the year."[2] The striking and kicking of the labourers by managers exists even to-day.[3]

Of the contributory causes, especially in recent years, the most important was the success of a strike in 1920 on the Dibra-Sadiya Railway, which runs through the tea-gardens where the first of the industrial disputes took place. Similarly important is the political condition of the country in 1920 and 1921. Although all of the disputes and disturbances did not result from the incite-

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[1] *Loc. cit.*, p. 42.

[2] *Ass. Lab. Rpt.*, 1900, p. 22.

[3] For example, in 1929, the Acting Manager knocked down a man, another struck a woman with a cane, and still another struck a man for abuse, etc. *Ass. Lab. Rpt.*, 1929, Part I, p. 3.

ment from outside agitators, some of them, especially the exodus of labourers, were influenced by the non-co-operation movement, which swept all over the country during the period.

The fundamental cause of the industrial disputes and unrest, especially in recent years, was the growing consciousness among the labourers themselves. A change in the attitude of the labourers not to pocket the insults at the hands of planters or others officials was noticeable even over a generation ago. "There was a growing tendency among the coolie class" observed the Report on Labour Immigration into Assam in 1899, "to resent a blow by striking a blow in return, and this soon leads to serious results, as coolies act in combination among them and are armed with formidable weapons—the implements of their industries ; but this very tendency exercises a healthy influence in restraining the hot-headed and impetuous European assistants from raising their hands against them."[1] This spirit of self-assertion in the case of personal grievances has gradually developed into power of concerted action for the furtherance of class interests. In recent years, strikes, assaults and riots have their origin in the spirit of retaliation for the abuse and misuse of their power to which the workers have been subjected by managers and other high members of the Staff.[2]

The factors which have contributed most to the growth of class consciousness and concerted activities among

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[1] *Ibid.*, 1899, p. 42.

[2] *Ibid.*, 1928, Part 1, p. 3.

labourers might be classified under three headings: First, legislative measures, by which the Government have gradually ameliorated labour conditions and abolished contract labour, especially since the inauguration of the International Labour Organisation in 1919. Second, the public attitude against contract labour, bad conditions and unjust treatment on plantations, as expressed especially by the vernacular Press in earlier years and both by the Press and Platform in recent years. Although there were often "exaggerations and misrepresentations," "bitter hostility" towards the planters, and "indiscriminating opposition" towards emigration, as the Chief Commissioner of Assam pointed out in 1887,[1] these agitations could not fail but to awaken a new consciousness among the labourers themselves. Third, the labour movement itself has been the most important factor in giving the labourers on plantations, though unorganised, a new viewpoint and in creating a new outlook.

Industrial peace on plantations as in other organised industries depends therefore upon full realisation by employers of this new situation and upon sympathetic appreciation by them of this new attitude.

[1] *Ass. Lab. Rpt.*, 1887, p. 6

# CHAPTER VI

## SANITATION AND HEALTH

Sanitation for plantation labour involved, until very recently, a twofold function, namely, that *en route* from recruiting to labouring districts, and that on plantations themselves, where the labourers are actually employed. Plantations as a rule are worked with immigrant labourers, most of whom in the beginning were under the contract system. Government, therefore, as a party to the contract system, had more than ordinary responsibility for the health and safety of such labourers.

### 1. SANITARY PROVISIONS.

The regulation of recruitment and transport of intending emigrants was one of the main objects of the earlier legislation. The Assam Labour and Emigration Act of 1901, as modified up to July 1, 1910, for instance, provided among other things sanitary arrangements for accommodating places, detention depots, and transporting vessels. The enforcement of these rules was entrusted to inspecting, medical and other officers.

In spite of these rules and regulations, the death-rate among immigrants, both at depots and *en route* were appalling in the beginning. In 1885 great improvement was made in the transportation system by the introduction of swift steamship services. Out of 18,046 immigrants entering the Assam Valley in that year, 15,503 or 85

per cent. were conveyed to the ports of debarkation by daily mail steamers and the death rate *en route* was greatly reduced. The accelerated steam ship service for the Surma Valley also led to the decline of the death-rate from 95 per mile in 1884 to 52 in 1885.[1] Although such death-rates somewhat increased in 1892, this was due partly to the improved registration and partly to the outbreak of cholera.[2] With gradual improvement in in sanitary arrangements and transportation systems, the death-rate gradually diminished among emigrants.

What is more important is the provision for sanitary arrangements on plantations where most of the labourers permanently live. These provisions have also improved since 1863, when the first Plantation Act was enacted' By the Act of 1901, for instance, provisions were made for housing, drainage and drinking water. Every estate employing more than 50 persons was to have a medical officer with the hospital accommodation at a suitable distance and with proper hospital and dispensary supplies.

How far these rules and regulations providing sanitation on plantations were carried out in practice is difficult to ascertain. According to the annual official reports, both the hygiene and the comfort of the workers were attended to by the inspectors.[3] In 1888, for instance, the Sanitary Commissioner stated that considerable attention was paid to sanitation, medical service, housing and water-supply. His observation was, how-

[1] *Ass. Lab. Rpt.* 1885, p. 2.
[2] *Ass. Lab, Rpt.* 1882, p. 8
[3] *Ibid.*, 1887, p. 46

ever, applied to a comparatively few gardens which he himself visited.[1] The efficiency of sanitary arrangements can, however, be best shown by vital statistics to be discussed later on.

Another important question in connection with sanitary arrangements was that of the latrine system, attention to which was drawn as early as 1884.[2] In spite of the fact that the plantation industry has been in existence for over half a century, the installation of a conservancy system has scarcely advanced beyond the experimental stage. Most of the tea gardens in Assam, for instance, lack an adequate system of conservancy and it is due to this fact that there prevail several diseases, such as hookworm. In the opinion of several authorities, hookworm is contracted on the gardens and the anæmia and inefficiency arising out of it cause a good deal of loss to the gardens. Contrary to the prevailing notion, the Assam Labour Enquiry Committee of 1921-22 have found the worker willing to take advantage of latrine accommodation and have noted that wherever the latrines have been provided the result has been accompanied by appreciable fall in the incidence of anæmia.[3]

The existing system of latrine accommodation might be classed under four headings :—first, the bucket system, which is liable to become insanitary and for which there is always a necessity for keeping a class of

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[1] *Ibid.*, 1889, p. 64.
[2] *Ass. Lab. Rpt.*, 1891, p. 30.
[3] *Op. cit.* p. 97

sweepers; second, the trench system, which often runs the risk of infection by flies; third, the aqua-privy system, which, although very convenient and sanitary, is very much limited in scope, being dependent upon the availability of streams and rivers; fourth, the septic tank system, which is the ideal system of conservancy. There are two difficulties in the installation of this system:—In the first place, lack of sufficient water supply, since it requires about 4 or 5 gallons of water per person using it. In the second place, the high initial expenses. But according to some medical authorities the septic tank system is the cheapest in the long run, as it secures the sanitary condition, which is essential for the exertion of human energy.[1] Only a very few of the gardens in Assam have, however, installed the latrine system, especially the septic tank.

A very effective method of controlling insanitary conditions on Assam gardens was to declare those gardens unhealthy or to put them on the "black list", on which there had been ten or more deaths during the year and on which death-rates had exceeded 70 per thousand. These figures were more or less arbitrary, but they were fixed with a view to excluding gardens with a small force of workers from too easily falling into this category and at the same time to including those gardens where death-rates had been large enough to justify such declaration.[2]

No reliable data are available on the number of

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 97

[2] *Ass. Lab. Rpt.*, 1883, p. 33

unhealthy gardens prior to the year 1880. In that year there were 48 unhealthy gardens out of a total of 1,055 or 4.5 per cent. In 1884, the number of such gardens rose to 93 or 9.6 per cent. A question of revision of the system of classifying unhealthy gardens was therefore raised.[1]

In 1888, it was pointed out that the existing system of counting mortality on the strength of Act-labourers alone was misleading, especially in the case of a garden where the number of such workers was small as compared with non-Act workers, the death-rate among whom was rather low. It was, therefore, decided to declare a garden unhealthy on which the average mortality, either for the garden population as a whole or for the Act or the non-Act labourers taken separately, exceeded 70 per thousand and the number of deaths from the average struck exceeded 10.[2] The introduction of this system raised the numer of unhealty gardens to 119 in 1889, which would have otherwise been only 69.[3]

In 1891, a considerable number of gardens remaining on the list of unhealthy gardens, the Government of Assam issued orders for strict application of the law relating to the matter. In order to give effect to these orders, all district officers were required, first, to include in their annual reports a description of every garden which had been on the unhealthy list for more than two years, and secondly, to show what steps, if any, had

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[1] *Ass. Lab. Rpts.* for respective years.
[2] *Ibid.*, 1888, p. 65
[3] *Ibid.*, for respective years.

been taken by such gardens to carry out the recommendations made by the committee appointed on such occasions under section 128 of the Act.

In spite of these regulations, the number of unhealthy gardens rose from 119 or 12.2 per cent. in 1889 to 143 or 16.4 per cent. in 1892. The question of the stricter enforcement of the law was at once raised, but it was found that the Government had no power to close an unhealthy garden unless it could be attributed directly to the neglect of observing the recommendations made and the estates were thereby rendered unfit for the residence of labourers. Even a district officer could not summon a committee relating to an unhealthy garden without a written report of an inspector to the effect that the garden in question was unfit for the residence of labourers.[1]

In 1893 the Act of 1882 was, therefore, amended in order, among other things, "to strengthen the control of the local administration over unhealthy estates and to enable local authorities more readily to enforce sanitary improvements on them."[2] The orders were also issued by Government for the strict application of the provisions of the law relating to unhealthy gardens, pointing out, first, not to accept as valid excuse the argument that high mortality on gardens was due to the presence of "bad batches", *i. e.*, newly imported labourers supplied by contractors, as provisions were made for the medical examination of such labourers ; secondly, not to accept

[1] *Ass. Lab. Rpt.* 1895, p. 81
[2] *Ibid*, 1893, p. 1

the occurrence of epidemics as the cause of a garden's becoming unhealthy without due examination. Further regulations were also made so that, as soon as the unhealthiness of a garden was ascertained, the coercive procedure of the Act might be put into force as a matter of course, and if necessary the garden could be closed to Act or other classes of labourers. Steps were also taken to prevent wrong description of labourers as to the place of their origin.[1] The revised Act also gave powers to the district officer to order medical examination whenever the mortality on a garden exceeded 70 per thousand and to summon a committee on his own motion to make recommendations as to the method of dealing with such gardens.[2]

Some modifications were also made by the Act of 1901 in provisions for health on plantations. As a result of these amendments and stricter enforcement of the provisions, there has been gradual diminution in the number of unhealthy gardens, except in some years, *e. g.*, 1897, 1908-09 and 1917-18, owing to an abnormally large number of new immigrants and the unhealthy character of the seasons, the death-rate went up higher than usual and the number of unhealthy gardens also increased. In 1928-29 no garden was declared unhealthy.[3]

## 2. BIRTHS AND DEATHS.

Since the health of a people is best indicated by vital statistics, the birth and death rates on plantations

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1 *Ass. Lab. Rpt.*, 1892, p. 35, 1893, p. 50.
2 *Ibid.*, 1895, p. 81.
3 *Ibid*, 1928-29. Statements.

as compared with those outside will give a clearer idea of the conditions of health of plantation labourers. It must, however, be mentioned that the system of calculating statistics is much more accurate on plantations than that outside and any comparative study based on such data is liable to involve a certain amount of error.

Complete statistics on birth and death rates in Assam tea gardens are available since 1878. Owing to the fact that the number of women in the earlier years was very small as compared with that of men, the birth rates have been shown both per thousand women and per thousand total population. On the basis of women population, the birth-rate fell down from 101.3 per mille in 1878 to 70.1 per mille in 1920 ; and on the basis of total population, the birth-rate fell from 31.9 per mille in 1878 to 19.3 per mille in 1920 and was 31.5 per mille in 1928-29, as shown in the table below.

BIRTH-RATES ON ASSAM TEA GARDENS[1]
*(Shown only at specified period).*

| Year | Birth-rate per 1,000 women | per ,000 of total population |
|---|---|---|
| 1878 | 101.3 | 31.9 |
| 1900 | 80.2 | 27.6 |
| 1919-20 | 70.1 | 19.3 |
| 1928-29 | — | 31.5 |

An important feature of the birth-rate on Assam tea gardens is its variation. There are several causes of this variation :

[1] Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

First, periodical unhealthy seasons induced by excessive rain and prolonged drought, or by the outbreak of epidemics, reduce productive power on the one hand and induce miscarriage on the other.[1]

Second, variation in the number of immigrants has some influence on the birth-rate. It is a known fact that acclimatised women are healthier than the new arrivals and are, therefore, more prolific.[2]

Third, the composition of the immigrants as to the local sources of supply has also an effect upon the birth-rate. In 1897, for instance, while the general birth-rate per thousand women for all Assam garden workers was 77.4, the birth-rate varied from 94.6 in the case of the immigrants from Bihar to 48.5 in case of those from the Central Provinces.[3]

Fourth, the distribution of the immigrants over different parts of the province is still another cause. In 1895, for instance, the birth-rate per thousand varied from 56.8 in the district of Darrang to 105.6 in the district of Kamrup.[4] It must be mentioned that in addition to the differences in the climatic conditions of these two districts the sanitary arrangements in different gardens has also an important effect upon the birth-rate.

Another important feature of the birth-rate in Assam gardens is that there has been almost a steady decline except in very recent years. Negligence in registration

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[1] *Ass. Lab. Rpt.*, 1898, p, 27.
[2] *Ibid.*, 1899, p. 27.
[3] *Ibid.*, 1897, p. 30
[4] *Ibid.*. 1895, p, 55.

of births and declining vitality among plantation labourers, as suggested by some, can scarcely be accepted as valid reasons for such a phenomenon. As suggested by the Assam Labour Enquiry Committee of 1906, the changes in the character and the composition of the immigrants, which are partly the results of the changes in the recruiting system, might possibly account for this gradual decline of the birth-rate.

Until very recently, however, a low birth-rate was the outstanding feature among the labourers of Assam tea gardens. In the earlier years the number of women was much smaller than that of men and the birth-rate was consequently very low, but even in 1901, when the number of women exceeded that of men (for instance, there were 204,150 women as compared with 200,088 men), the birth-rate on the gardens was 29.1 per thousand total population and 93.2 per thousand adult women, as compared with 33.9 and 101.6 respectively in the whole province.[1] This lower rate continued to be the case until 1923-24 when the birth-rate on the tea gardens reached the same level, or was even a little higher than that in the whole province, that is, 31.11 in the case of the former as compared with 31.04 in the case of the latter.[2]

There has been a good deal of speculation as to the causes of this lower birth-rate on Assam tea gardens :—

First, as pointed out by a Deputy Commissioner

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[1] *Ibid.*, 1901. p. 8 ; also of *Ass. Lab. Rpt.*, 1919-20, p. 3.

[2] See *Ass. Lab. Rpt.* 1898, p. 363 ; see also *Stat. Abs.* for ten years.

in 1899, the women lack adaptability to the changed conditions of food and climate on arrival from a different country and their whole strength seems to be required to resist the insidious effect of the climate of Assam, so that there is left scarcely "sufficient vital force to allow them to reproduce their species with success."

Second, hard work, on which women were often employed, was not calculated to raise the birth-rate, as pointed out by the Chief Commissioner of Assam in 1908.[1]

Third, the character and composition of the immigrants had also great influence upon the birth-rate. The recruitment of starving and diseased people from famine and pestilence-prevailing regions was liable to bring to Assam such women as were most probably unable to retain their normal fecundity.

Fourth, the age as well as the capacity and willingness for motherhood were among the factors of the low birth-rate. A large number of immigrant women recruited by contractors were infertile. This was due to the fact that the interest of contractors was to get any class of women for their recruits as they were paid per head, whereas the immigrants recruited by sardars mostly came with their families and were more prolific.

Fifth, miscarriage and still births were also among the causes leading to a low birth-rate. Miscarriage was often the result of syphilis and anaemia, and of the lack of sufficient care bestowed on women while pregnant. In 1918 there were 113 stillbirths in five divisions

*Ass. Lab. Rpt.*, 1909, p. 11.

as compared with 569 infants born alive.[1] In the earlier years even infant mortality affected the report on child-births, inasmuch as the death of children shortly after their birth was not reported.[2]

Sixth, abortion was still another cause of the low birth-rate. It was a well-known fact that abortion was performed by professional women permanently living on the gardens, the main objection to child-bearing by tea garden women being the trouble caused by having to work and look after children as well. The loss of wages during the period following child-birth and often before was an additional reason.[3]

Finally, irregularity in the marriage or union of men and women was still another cause. In the contractor's depôt single men and women were sometimes paired off, regardless of caste and inclination, and sent off as "family coolies." These "depôt marriages," as they were generally called, were rarely fruitful. The system of herding men and women of different castes in the lines also led to irregular and fruitless unions.[4] Moreover, single women frequently refrained from settling down finally with one man till they had been for some time on the gardens. It is an ascertained fact that there was scarcely any offspring from temporary and irregular unions.[5]

[1] *Ibid.*, 1917-18 ; p. 95

[2] *Ibid.*, 1896 p. 31

[3] *Ibid.*, 1888, pp. 39-40.

[4] *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 86.

[5] *Ass. Lab. Rpt.*, 1897, p, 30.

The most important effect of the lower birth-rate was that it was insufficient to cover the annual loss by deaths among the total labour population, as will be discussed later on.

The outstanding feature of the birth-rate on Assam tea gardens is that it was very low until recent years. What aggravated this situation was that this low birth-rate was accompanied by a high death-rate. In the earlier years the mortality on Assam gardens was appalling. In four years from 1863 to 1866, 30,000 immigrants out of a total of 84,915 who landed on the two districts died of various causes.[1] The excessive death-rate on Assam gardens is best shown by the fact that it was much higher among the immigrants than among the population in the Provinces from which they are recruited. In 1891-1893, for instance, while the death-rate varied from 22·9 per mille in Madras to 29·7 in the North-Western Provinces and Oudh, it was as high as 37·3 per mille in Assam.[2]

In recent years there has been a considerable diminution in the death-rate except for some special years, such as 1908-09, 1918-19 and 1919-20, when these rates were 34·3, 61·4 and 48·4 per mille. Thus from 66·1 per mille in 1878, the death-rate fell down to 21·5 per mille in 1928-29, as shown below :—

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[1] *Ass. Lab. Enq Com. Rpt.*. 1906, p. 146.
*Ass. Lab. Rpt.*, 1894, p. 43

VARIATION IN DEATH-RATE IN ASSAM TEA-GARDENS[1]
(AT SPECIFIED YEARS)

| Year. | Death rates per mille | | | |
|---|---|---|---|---|
| | Act-workers. | Non-Act workers. | Children. | All Persons. |
| 1878 | 106·2 | 38·9 | 63·1 | 66·1 |
| 1900 | 43·5 | 26·2 | 25·4 | 29·4 |
| 1920-21 | | 31·9 | 21·1 | 27·3 |
| 1928-29 | | 22·5 | 20·2 | 21·5 |

There are several reasons for the heavy mortality on Assam tea-gardens :—

First, the general unhealthiness of the Province, especially in the earlier years, when the gardens were first opened and the sanitary arrangements were inadequate.

Secondly, the change from one to another climate. It is a recognised fact that mortality varied among immigrants of various Provinces. The death-rates for several years tend to show that the native Assamese were healthier than the imported labourers, and immigrants from Bengal were healthier than those from more distant Provinces. In short, the greater the change in climate between the recruiting and the labouring districts, the greater is likely to be the death-rate among the immigrants.[2]

Thirdly, change in diet. This is specially noticeable in the case of workers from Upper India where most of

[1] Death-rates among children are given separately in the earlier years, namely, for infants up to two and children between the ages of two and sixteen. Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

[2] *Ass. Lab. Rpt.*, 1887, p, 25.

them were accustommed to a wheat diet and the sudden change to a diet consisting of rice probably has as much to do with the high mortality amongst them as the change from a dry to a damp climate.[1]

Fourthly, the composition of immigrants. The immigrants of poor physique and coming from poverty-stricken districts,[2] *e. g.*, United Provinces and the Central Provinces, had little stamina left when they arrived at the gardens, and fell easy victims either to the rigour of the new climate or to an outbreak of epidemics.[3]

Fifthly, "the want of proper houses, over-crowding, unhealthy sites, insufficient and unsuitable food, impure water and want of proper medical attendance," especially in the earlier years, were all important causes of high death-rate, as pointed out by the Government of Bengal in 1868.[4]

Finally, despair and melancholy, to which the majority of the immigrants fell victim. The disillusion often falling upon immigrants' first arrival in Assam was aggravated by the feeling that they were bound to remain perhaps for ever in a distant country, doing unfamiliar work, and among unknown people, and had a prejudicial effect upon their health and contributed to their ill-health and early deaths.[5]

The variation in the death-rate is another noticeable

² *Ibid.*, 1896, p. 34.
³ *Ibid.*, 1891, p, 30.
³ *Ibid.*, 1891, p. 29 ; *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 93
⁴ *Ass. Lab. Enq. Com. Rpt.*, 1906, p, 138.
⁵ *Ibid.*, 1921-22, p. 93.

feature on Assam tea-gardens. This is due to several factors, namely :—

1. The exceptional unhealthiness of some years resulting from heavy floods or a long period of drought naturally affects the death-rate.

2. An outbreak of epidemics which every now and then visit the tea-gardens is also responsible for a variation in the death rate, especially for such years as 1918-19, referred to above.

3. The proportion of the newly arrived as compared with the older section among the total labour force is also an important cause. It is a well known fact that the death-rate is higher among the newly arrived immigrants and falls greatly as the length of residence increases. "Garden mortality," says the Report on Labour Immigrants in Assam for 1893, "rises or falls *pari passu* with the proportion of new immigrants to the total population."[1]

Another important feature of the death-rate in Assam gardens is the gradual decline compared with those of the whole Province. The death-rate for recent years might be said to show great improvement. The average annual death-rate from 1912 to 1915 was, for instance, 24·37 per mille on the gardens as compared with 27·74 per mille in the whole Province.[2]

This decline in the rate of mortality in recent years has been brought about by several factors of which the most important are the following: (1) The gradual

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[1] *Op. cit.*, p. 15.
[2] Adapted from *Ass. Lab. Enq. Com. Rpt.* 1921-22. p. 94.

clearance of jungles ; (2) a closer supervision and better provision of sanitary arrangements ; (3) the gradual adaptation of workers to the physical and social conditions, a large number of whom have gradually settled down in the tea districts of Assam ; and (4) the comparatively small number of new immigrants. The increasing facilities in travel and the abolition of contract labour have also their indirect effect upon mortality.

One of the important features of the death-rate is that it was very excessive among the Act-workers as compared with the non-Act workers. From 1877 to 1916-17 while the death-rate per mille among Act-workers varied from 34.2 to 106.2 that among non-Act workers varied from 21.6 to 41.0. Except in the very early years this death-rate in the former case was generally from 50 to 100 per cent. higher than in the latter. It must, however, be remembered that the statistics of the Act-workers were more carefully compiled and scrutinised than those of non-Act workers. The main reason for higher mortality among Act-workers is that they consisted mostly of newly imported immigrants who were not only unacclimatised but were often in a sickly and famished condition and thus fell victims more easily to disease. Moreover, it was mostly the unhealthy and isolated gardens which employed Act-labourers and the death-rate was bound to be higher in them than if they employed non-Act labourers.[1]

There has also been a great variation in the mortality among children, that is, all persons from birth to the age

[1] *Ass. Lab. Rpt.*, 1886, p. 19.

of sixteen as shown in the table above. The causes of this variability in the death-rate among children are practically the same as in the case of the general death-rate.

As compared with the total labour force, the death-rate among children was rather low but the registration of deaths was more incorrect in the case of children than in the case of adults. As noted before, in the case of all short-lived infants, both births and deaths remain unrecorded. The greatest number of omissions to register occurred in connection with non-working children.[1] Even the Chief Commissioner of Assam doubted the accuracy of such statistics, and in the report on immigrants it was pointed out that no death-rate for children could be acceptsd as correct which fell below 35 per mille.[2] In recent years, there has been, however, much improvement in the registration of deaths among children.

The reason for the heavy death-rate among children on tea-gardens in earlier years is quite clear. The conditions of child-life on tea-gardens was scarcely favourable to health involving as they did much exposure to chills and wets.[3] Moreover, neglect on the part of mothers, who were unable to do their daily work and at the same time look after their children, and who could not afford to remain without work, accounted in a great measure for the high mortality among children.[4]

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[1] *Ass. Lab. Rpt.*, 1889, p. 27 ; 1890, p. 28 ; 1892, p. 34

[2] *Ibid.*, 1893, p. 47 ; 1898, p. 30.

[3] *Ibid.*, 1890, p. 28.

[4] *Ibid.*, 1888, p. 45.

The most important question in connection with vital statistics is that of the surplus of births over deaths. This is especially significant in connection with labour on Assam gardens, which had to depend perpetually on immigrants. As a rule the death-rate exceeded the birth-rate and it was not until 1922 that the birth-rate began to exceed the death-rate and in 1928-29 there were 31.5 births per mille as compared with 21.5 deaths per mille.[1]

The consideration of the birth-rate and the death-rate shows that the general health on Assam gardens has been anything but satisfactory in past years, but there has lately been a decided improvement. What is equally important is the fact that the birth-rate has already begun to exceed the death-rate and if it is maintained, the question of labour supply will be partially solved.

## 3. PREVALENT DISEASES

The immediate causes of death are usually various diseases of which the most prevalent on Assam tea-gardens are—cholera, diarrhoea, dysentery, malaria, hookworm and various respiratory complications, causing, for instance, 13,044 deaths out of a total of 22,581 deaths in 1928-29, as shown in the table below. The table also shows the variation in the number of deaths caused by different diseases.

Cf. Table above.

CAUSES OF DEATH ON ASSAM TEA-GARDENS[1]
(SHOWN AT SPECIFIC PERIODS)

| Causes | 1893 | 1900 | 1918-19 | 1928-29 |
|---|---|---|---|---|
| Cholera | 2,301 | 1,754 | 5,288 | 375 |
| Diarrhoea | 1,155 | 1,994 | 2,647 | 1,373 |
| Dysentery | 3,217 | 3,760 | 4,145 | 2,512 |
| Malaria | 2,122 | 2,825 | 3,380 | 3,038 |
| Hookworm | 1,339 | 1,854 | 2,361 | 1,448 |
| Respiratory Diseases | 572 | 2,398 | 6,310 | 4,398 |
| Other causes | 5,276 | 5,015 | 38,045 | 9,437 |
| Total | 15,982 | 19,603 | 62,176 | 22,581 |

Diarrhoea and dysentery are common diseases in India, especially in Bengal and Assam, and a large number of deaths are attributed to them every year. They have long been known to be among the chief causes of deaths in Assam tea-gardens, causing respectively 2,447 and 4,145 deaths in 1918 and 1919 when influenza was also most prevalent. The number of deaths caused by these diseases are generally higher on the tea-gardens than in the whole province of Assam. In 1920, for instance, the death-rate caused by them was 6.95 per mille on the gardens as compared with 1.84 per mille in the whole Province.[2]

The most common disease in Bengal and Assam is however, malaria, and it is also prevalent on the tea-gardens. In fact, there are few labourers on the gardens

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[1] The records of the cause of death on Assam tea-gardens are available since 1878, but the present classification was not made until 1893. Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

[2] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 99

who at one time or other do not suffer from it. In 1928-29, 3038 deaths, over 13 per cent. of the total, were caused by malaria alone, but the sufferings and devitalising effect of malaria are more common than the actual deaths. Attention has been drawn to the high spleen index on certain gardens especially among children. Prophylactic dozes of quinine, especially during the rainy season, are often administered to check its growth.[1]

About a generation ago *kala-azar* was one of the causes of the high mortality among the workers on Assam tea-gardens. Even now it is liable to become an epidemic and to play havoc on plantations. Between 1916 and 1929, for instance, 270 workers out of about 550 attacked died of it in one single garden, causing a loss of between Rs. 40,000 and Rs. 50,000 to the garden. Hundreds of infected houses had to be burnt and new lines erected and a hospital established.[2]

Among the epidemics cholera is the most important as it appears about every year, though in different degrees of severity. Formerly, it was often introduced into the Assam tea-gardens by the new immigrants, who contracted it in insanitary detention depots in Bengal. On some gardens unrestricted communication between new arrivals and old workers was followed by severe outbreaks.

With regard to deaths from cholera, it must be remembered that when once it appears in the neighbourhood it causes, in spite of sanitary precaution, great mortality in the lines of tea-gardens where people are more closely

[1] *Ibid.*, p. 99
[2] *Ibid.* p. 97-98

congregated together than in an ordinary village. The highest number of deaths was caused by cholera in 1918-19, the year of the influenza epidemic, the number of deaths amounting to 5,288.

In recent years influenza has become one of the most vital epidemics in India as all over the world. The number of deaths caused by influenza on plantations was 28,552 in 1918-19. Accompanied by cholera, dysentery and respiratory diseases, it raised the total number of deaths from 23.5 per mille in 1917-18 to 61.4 per mille in 1918-19.[1]

Anæmia is another common disease on Assam gardens. In 1888, *beri-beri*, another common disease in Bengal, was found to be identical with anæmia. It is caused, however, by several diseases, such as malaria, dysentery, and hookworm. The most severe type of anæmia is, however, that caused by hookworm, as it is very difficult to get rid of the initial infection.[2]

The majority of the cases returned as dropsy, and anæmia is really due to hookworm infection.[3] It has been estimated that about 71.3 per cent of the population in Bengal is infested with hookworm. The number of cases amounted to 3,001 in the Duars tea-garden in Bengal in 1918 and 4,028 on the Assam tea-gardens in 1919-20.[4]

The most important method of controlling diseases consists of prevention of infection and direct treat-

[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 96
[2] *Ibid.*, p. 96
[3] *Ass, Lab. Rpt.*, 1918, p. 4
[4] *Ibid.*, 1888, p. 66; *Ass. Lab. Eng. Com. Rpt.*, 1921-22, p. 96

ment. Prevention means simply the regulation of the latrine system so that the ova of the worms cannot spread and contaminate drinking water. The treatment consists of the administration of thymol in 30 grain dozes by which dead parasites are discharged by hundreds and the patients are found to be rapidly restored to health.[1]

Other diseases taking a heavy toll of life are the various respiratory complications, which caused 4,398 deaths or about one-fifth of the total in 1928-29. The death of 9,437 persons or about 44 per cent. of the total were caused by various other diseases, a number of which remain unidentified.

Provisions have been made, under plantation legislation, for adequate treatment of labourers suffering from the above diseases on Assam tea-gardens and some of the gardens have qualified physicians and adequate hospital supplies, as noted before. It has often been said that workers do not take advantage of hospital service even when such is provided free of cost, and that hospital treatment is the last resort to be taken advantage of by them. But when a hospital is attractive and where good and careful treatment is provided, there seems to be no reason why in-door treatment should not be more popular.

In spite of provision for medical attendance to the workers, there is a need for further extension of the service, especially for those who are living in the lines. It is revealed by the fact that a large number of time-expired labourers resorted to Government dispensaries for treatment. In a number of cases, workers whose contract

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[1] *Ibid.*

did not expire are also sent to these dispensaries for treatment. In such cases, the expenses of food were borne by the gardens on which the contract workers were employed.

An unfortunate aspect of labour conditions on Assam gardens is borne out by the fact that a considerable number of workers became infirm and destitute even after long service. "It is impossible to visit an estate," says the Report on Labour Immigration to Assam for 1897, "without noticing the number of infirm persons who are supported practically by the charity of their employers."[1]

Although consideration and sympathy were displayed by the great majority of planters towards labourers who had worn themselves out in the service of tea-gardens, some planters were "shortsighted and unkind enough to turn such persons out of their gardens."

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*Op. cit.*, p. 53.

# CHAPTER VII

## HOURS OF WORK

Unlike other agricultural industries, the question of hours of work is an important one on plantations. This is due to the fact that it is an organized and large scale industry and a capitalistic enterprise. The very fact that labourers live on or near the plantations with their wives and children suggests that there is a possibility of overwork on the part of both adults and children, unless there is a specific provision against it.

### 1. LEGAL HOURS

The hours of labour on plantations, especially on tea gardens in Assam, were in fact regulated from the very beginning. The Plantation Act of 1870, which amended the terms of the indenture system for Assam tea gardens, fixed also the hours of labour at 9 a day. Subsequent amendments and re-enactments of this Act made scarcely any alteration in the hours of labour. The indenture system has been abolished, but the standard of the hours of work once established still remains.

The legal hours of work fixed for Assam tea gardens applied to men and women alike. Children or persons under the age of sixteen could not become indentured or contract labourers, but they often worked the same number of hours as adults.

## 2. OVERTIME WORK

The actual hours of work are, however, quite different from those limited by the law. There are three important factors which influence the actual length of work on plantations.

First, the basis of remuneration on plantations is piece work or task, and in order to earn the full wages, the task must be completed irrespective of the time. The fact that many labourers cannot earn the regular wages, as to be noted later on, indicates that the task is by no means an easy one. In fact, Section 5 of Act VI specifically laid down that during the first six months labourers shall be entitled to full pay on the completion of half the daily task, unless the inspector testified that the labourer was physically fit to perform the whole task. That the task is still heavy is also proved by the fact that on the 5th September 1927, 80 Munda workers of a garden left work and returned to it only on the assurance that it would be reduced, which was ultimately done by the manager.[1]

Second, as in other agricultural industries, the work on plantations undergoes variation according to season. The possibility of engaging labourers for overtime work was stipulated by the terms of contract from the very beginning and a good part of the labourers' income depended upon overtime work. During the cold weather, however, there is a great depression in plantation industries and many labourers have to depend in part on subsidiary industries.

[1] *Ass. Lab. Rpt.*, 1928, p. 3.

Third, in addition to their regular work most of the labourers on plantations have private plots of land to cultivate and domestic animals to attend to. It must be mentioned that they are sometimes granted leave of absence for attending to their private work, such as planting and harvesting, but there are also times when they have to attend to both during the same day. This naturally leads to overwork.

### 3. WEEKLY HOLIDAYS

Like the hours of work during the day, the days of work on plantations were also regulated by the terms of contract as early as 1870. It was provided that there should be a day of rest once every week. The day of rest, however, varies from place to place according to local conditions, although most of the plantations observe Sunday as a holiday.

It must be remembered that work on plantations, as in fact in all agricultural industries, is extensive and can be spread over a longer period of time during the day and the week, but being organized and capitalistic in nature, there is a need for regular days of rest, especially in the rush season, when there is the possibility of overwork. In fact, Sunday work still exists, although limited in extent. In 1829, there was a strike of drillers in a garden in Lakhimpur against Sunday working, although "the strikers were satisfied with bonuses given for the Sunday work and returned on the following Sunday without any more trouble."[1]

[1] *Ass. Lab. Rpt.*, 1929, Part I, p. 3.

There is still another reason for weekly holidays. Most of the plantation workers depend partly on subsidiary industries, and regular holidays give them a chance to attend to them without being absent from their duties on plantations. Moreover, they have household duties to attend to.

The main purpose of weekly holidays is, however, rest, which means not only cessation from work for recuperation, but also enjoyment of sociability and other amenities of life. Nothing is more important to labourers on plantations, who are mostly immigrants and live in isolated communities on hillsides, than the companionship of their friends and relatives on the same or neighbouring plantations.

It was perhaps the realisation of this fact that led Captain Mackie, President of the Darjeeling Planters Association, to suggest that, in addition to the weekly holiday, there should be half holiday on Saturday, especially during the non-manufacturing season. "In all countries," said Captain Mackie, "the working man has a half holiday on Saturday, and there seems no reason to deprive the tea garden coolies of this privilege."[1] This suggestion has not received any serious consideration by the plantation industries. In fact, the labourers are compelled to work even on Sundays, as noted before. It would be much better for them to have a full holiday once every week.

It is needless to say that long hours do not necessarily lead to a larger income. The task or overtime work, as once stipulated by the contract, and as is still in vigour on

[1] Quoted *Ass. Lab. Enq. Com. Rpt.* 1921-22, p. 100.

most plantations, does not in reality help the workers to earn higher wages, although it appears to do so. Had it not been for this stipulation, the rate of wages for regular work would have been much higher from the very beginning. What is true of the shorter hours is also true of Sunday or holiday work. The workers, including one or two members of the family, have to earn a certain sum of money to meet their family expenses, and if they do not work overtime or on holidays, they have to earn the same amount during the regular hours of the day, and the fixed days of the week. Both overtime work and holiday work are disadvantageous to the workers.

# CHAPTER VIII

## INDUSTRIAL EFFICIENCY

One of the most important phases of the labour question is industrial efficiency. Efficiency not only makes an enterprise successful and lucrative, but also gives the worker the chance of earning higher wages and developing both his body and mind.

There are not, however, sufficient data on plantation labour for arriving at any definite conclusion on this subject. Some rough idea may, nevertheless, be had of the subject by considering the absenteeism and turnover, vigour and skill, supervision and management, and comparative productivity.

### 1. ABSENTEEISM AND TURNOVER

Regularity of attendance is one of the essentials of industrial efficiency. A great defect of the Indian labourer is his constant absence from the place of work. This is true in the case of labourers on plantations as in any other organized industry in India.

The study of average daily working strength on Assam tea gardens as compared with the total number of workers on the books for several years shows that the regularity of attendance varies from 75 to 77 per cent. in the case of men, from 71 to 74 per cent. in the case of women, from 68 to 73 per cent. in the case of children, and from 72 of 74·5 per cent in the case of all the workers taken together, as shown in the table

below. It is thus seen that from 25.5 to 28 per cent. of the workers, that is, over one-quarter of the total, are generally absent from work.

ABSENTEEISM ON ASSAM TEA GARDENS[1] (AT SPECIFIC YEARS)

| Year | Percentage of average daily working strength to total number on the books | | | | Percentage of absenteeism |
|---|---|---|---|---|---|
| | Men | Women | Children | Total[2] | |
| 1906 | 76.5 | 71 | 68 | 72 | 28 |
| 1914 | 75 | 72 | 73 | 73 | 27 |
| 1922 | 77 | 74 | 72.5 | 74.5 | 25.5 |
| 1928-29 | 76 | 73 | 69 | 74 | 26 |

The absenteeism of the workers on Assam tea gardens, however, may not be altogether voluntary. In the first place, plantation is an agricultural industry and a large number of workers may not be required in the off-season. In the second place, part of the income of tea garden workers is derived from cultivation of their own land and they have to remain absent from plantation work in order to attend to their own work. Finally, the heavy rains which are very common in Assam, and the prevailing diseases to which the workers are often subjected, also prevent them from regular attendance.

Next to absenteeism, labour turnover, or the number of labourers who are discharged every year in comparison with the annual labour strength, is an important obstacle to the achievement of efficiency. The number of labourers annually discharged, including transfers and deaths,

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[1] Compiled and adapted, *Ass. Lab. Enq. Com. Rpt.*, 1921-22 p. 119; *Ass. Lab. Rpts.* 1928-29, Statements.

[2] The figures for 1906, 1914 and 1922 are unweighted averages.

amounted as high as 192,541 in 1920-21, as compared with the total labour force of 1,060,948, giving the labour turnover of 18 per cent, as shown in the table below. The labour turnover in 1928-29 amounted only to 11 per cent., as compared with 14 per cent. in 1902-03.

LABOUR TURNOVER ON ASSAM TEA GARDENS.[1]
(at specified periods)

| Year | Annual strength | Annual discharge (including transfer and deaths) | Per cent of turnover |
|---|---|---|---|
| 1902-03 | 547,870 | 76,934 | 14 |
| 1910-11 | 736,955 | 86,817 | 12 |
| 1920-21 | 1,060,948 | 192,541 | 18 |
| 1928-29 | 1,046,441 | 116,632 | 11 |

In proportion to the working strength, as against the total labour population, labour turnover is still higher. In 1928-29, for instance, the total number of labourers on the books, that is, the actual working population as against the number of people living on plantations, amounted to 577,943, and the number of those whose names were stuck off the roll amounted to 116,632, giving a turnover of 20 per cent.

In comparison with other industries, the labour turnover on plantations cannot be said to be very high. The reason for this low rate of turnover is the fact that these labourers are generally appointed permanently and live on plantations or in the vicinity. But even a very small

[1] Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

rate of turnover involves a high cost for the plantations, especially the Assam tea gardens, as noted before, and interferes with the rate of wages, on the one hand, and with the achievement of skill on the other.

### 2. VIGOUR AND SKILL

While attendance and steadiness are preliminary conditions, the efficiency of labour depends mostly upon vigour and skill. Regarding vigour, it has already been pointed out that the efficiency of the labourers on plantations is greatly diminished by the frequent outbreak of epidemics and the presence of other diseases, especially anæmia. The average labourer without sufficient vigour cannot be expected to do a day's work, and the cultivation of gardens must suffer or additional labour force must be imported.

Still greater is the problem of skill. Practically all the workers on plantations, as in fact in all other industries in India, are illiterate and untrained. Plantation workers, as noted before, are generally drawn from agricultural labourers, casual workers and peasants and artisans who are, as a rule, not only illiterate but also untrained in any industrial career. Plantations scarcely give them any chance of achieving any general or technical education, the labourers as a class, therefore, remaining unskilled on plantations. It has been estimated that not more than 2 per cent. on tea, coffee and rubber plantations are skilled, even in the very broad sense of the word.[1]

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[1] *Census of India*, 1921, Report I, p. 268.

### 3. SUPERVISION AND MANAGEMENT

Tho most important condition of industrial success is, however, business administration, which consists, among other things, of supervision and management. There are not, however, sufficient data on the supervision and management of plantations for drawing any conclusion.

The two most important features of plantation industries in India are that they are mostly the property of joint stock companies, and that most of them are financed by Europeans, as noted before. Out of 795 tea plantations in Assam in 1921, for instance, 632, or 70 per cent, belonged to joint stock companies. The coffee plantations in South India are, however, smaller concerns and are owned by private individuals. Out of 127 and 242 plantations in Madras and Mysore respectively, 104 and 232 were owned by private individuals.[1]

The size and ownership of the plantations also determine the nature of management and supervision. Most of the tea gardens in Assam and Bengal, and the coffee and rubber plantations in Southern India, are managed by Europeans. In 1921, for instance, 215 out of 340 tea gardens had European managers. The tea, coffee and rubber plantations employ also a good deal of European snpervision, the number of Europeans being about 1 to 642 workers in tea gardens.[2] From the viewpoint of the business interest, both the management and supervision of plantations are efficient, in view of the fact that planta-

[1] *Census of India.* 1921, Report I, p. 266.

[2] *Ibid.*, pp. 247, 267.

tions, especially tea gardens, are very profitable, as noted before.

### 4 COMPARATIVE PRODUCTIVITY

One of the best indications of industrial efficiency is increasing productivity. Productivity is, however, the result of several factors, namely, land, labour and capital ; and a comprehensive study of efficiency must take into consideration the part played by each of them. Other factors being equal, the increasing productivity of land, or what is still more preferable, the productivity per acre in one country as compared with that in other countries, cannot fail to give some idea of industrial efficiency.

The area and yield of rubber varied from 118,536 acres and 13.6 million lbs. in 1919 respectively to 167,016 acres and 26.6 million lbs. in 1928, showing an increase from 143 lbs. to 159 lbs. per acre. [1] Similarly the area and yield of the coffee industry varied from 116,411 acres and 21 million lbs. in 1919-20, respectively to 160,848 acres and 27.7 million lbs. in 1928-29, showing a decrease per acre of production from 183 lbs. to 172 lbs.[2] It must, however, be remembered that the yield varies greatly from year to year due to the climatic fluctuations, such as heavy rain and drought. The decrease in the productivity of the coffee industry in 1928 was due mostly to bad weather.

The most important countries for the production of coffee are Brazil, Columbia, Dutch East Indies and Salvador, which

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[1] Refer to dry rubber. *Indian Rubber Statistics*, 1928, pp. 4, 5.

[2] *Indian Coffee Statistics*, 1928-29, pp. 4, 5.

produced in 1927-28 10.8 million quintals, 1.5 million quintals, 630,000 quintals and 842,000 quintals respectively as compared with 140,553 quintals in India. The yield per hectare of coffee was only 2.4 quintals in India as compared with 4.5 quintals in Brazil, 6.7 quintals in Columbia, 5.3 quintals in Dutch East Indies and 5.4 quintals in Salvador.[1]

The productive power of the tea industry in India is best indicated by the production per acre of tea in recent years. As compared with the decennial average of area and production from 1901-1910, while tbe area increased by 5 per cent., in 1910, 31 per cent, in 1920 and 44 per cent. in 1928, the production of tea increased respectively by 15 per cent, 51 per cent, and 77 per cent, showing an increasing productivity of the industry in these years, as shown below.

VARIATION IN PRODUCTION OF TEA IN INDIA[2]
(at specific years with decennial average from 1901-1910 as base).

| Year | Area | Production |
|---|---|---|
| 1910 | 105 | 115 |
| 1920 | 131 | 151 |
| 1928 | 144 | 177 |

In connection with this increasing productivity, it must be remembered that there are several factors which affect the production of tea from year to year, namely, climatic

[1] *International Year Book of Agricultural Statistics*, 1927-28 p. 163. The figures per hectare production refer to different years.

[2] *Compiled* from the Report on the Production of Tea in India 1920, and *Indian Tea Statistics*, 1928.

change, market condition and labour supply. Although these factors are liable to bring about variation, the productivity of the tea industry has, nevertheless, made steady progress during the past two decades.

As already noted, India is one of the largest tea producing countries in the world. The comparative productivity of the industry in India is also among the highest. In 1927, for instance, while the per hectare yield of tea was 821 kg. in Japan, 576 kg. in Ceylon, 492 kg. in Dutch Indies, 484 kg. in Annam and 253 kg. in Formosa, that for India was 582 kg. as shown below. Thus, except that for Japan, the yield per hectare was the highest in India.

COMPARATIVE PRODUCTIVITY OF TEA INDUSTRY, 1927[1]

| | Area in 1,000 hectares | PRODUCTION Total in 1,000,000 kg. | Per hectare |
|---|---|---|---|
| India | 305 | 177 | 582 |
| Ceylon | 179 | 103 | 576 |
| Dutch Indies | 136 | 67 | 492 |
| Japan[2] | 44 | 37 | 821 |
| Formosa | 45 | 11 | 253 |
| Annam | 15 | 7 | 484 |

With reference to the higher productivity in Japan, it must be pointed out that tea growing is a small-scale farming industry in Japan. The small farmers produce tea on a very intensive basis and the yield is consequently

[1] Compiled from *International Year Book of Agricultural Statistics* 1927-28, p. 161.

[2] For 1926.

very high. There are also small localities in India, such as Madura, where two plantations of 40 acres produced 876 pounds of tea per acre in 1928 as compared with 572 pounds per acre for the whole area. Madura was followed by Lakhimpur which produced 771 pounds of tea per acre[1]

Besides the quantity, Indian tea also enjoys the reputation of being among the best products on the market. It is not only the quality of the raw tea but also the methods of curing and grading which add to the quality of Indian tea.

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[1] *Indian Tea Statistics*, 1928, p. 2.

# CHAPTER IX

## INDUSTRIAL REMUNERATION

Plantation industries are scattered all over the country, where both business conditions and standards of living differ from one another. The system of remuneration, including rate of wages, bonus and concession and earnings and incomes, therefore, varies from place to place.

### 1. BASIS OF RATE-MAKING

The rate of wages on plantations, especially on tea gardens in Assam, is mostly based upon piece-work and is determined by both the quality and quantity of the work. Whether expressed in terms of daily or monthly wages, the rate is contingent upon the execution of a certain daily task, which is called *nirikh* and the full payment of which is called *hazira*. In addition to this regular work, the worker may perform other tasks, the payment for which is called *ticca*.

The unit of rate-making on tea gardens varies according to the season, location, and type of work. As the most important types of the work on platations are those of hoeing and plucking, some idea of rate-making may be had from their detailed accounts. Hoeing is of two different kinds, namely, light or surface hoeing and deep or medium hoeing. The former is done from five to seven times a year and the latter only once a year. The unit of measuring hoeing is a *nal* which is equivalent to

twelve or thirteen feet. The day's work consists of from 25 to 30 square *nals* in the case of light hoeing and from twelve to sixteen square *nals* in the case of deep hoeing.

In plucking, the day's work varies from 20 to 24 lbs. of leaves, depending upon the quality, season of the year, methods of plucking and species of tea-bushes. In weighing the leaf deductions are made for the weight of the basket, wet leaf and wastage of manufacture, called "factory charges." The calculation is generally made on the supposition that four pounds of green leaf make one pound of manufactured tea. The usual rate of payment for fine plucking is one pice per pound of leaf collected. Any quantity plucked over and above this fixed quantity is paid for proportionately and sometimes at an increased rate.

A modified system of *hazira* and *ticca* occurs in what is known to be the unit system. It is based on the one-anna unit in the case of hoeing and pruning and one-pice unit in the case of plucking. Sometimes the extra work is paid by so much for an anna or about a penny. The time unit system is also resorted to in the beginning and end of the season when leaf is scarce. Irregular work such as forking, transplanting and jungle-clearing is performed on a time unit basis.

The basis of rate-making has been criticised on two main grounds :—first, on some gardens the total amount of leaf brought in is divided by the number of pluckers and the result is taken to be the daily task and any weight in excess is paid for at a proportional rate. This practice does not give the worker a chance to know

beforehand how much he has to pluck per day and thus penalises the efficient worker ; second, the most serious objection to the system is the method of deduction. The Assam Labour Enquiry Committee of 1921-22 found it difficult to understand the principle upon which the system of deduction was based on some of the gardens and recommended the adoption of a standard system based on the average estimate loss of the weight throughout the year.[1]

A still more fundamental issue has been raised as to whether the task of the labourers is fair and moderate. The task was fixed by the terms of contract and based on the nature of work generally performed by the ordinary cultivator. In the actual working of the system, the task, for which the minimum rate of wages was paid, was, as a rule, considerably less than that which the experienced labourers could easily accomplish. But after depression in the industry, it was said to have been increased and in a memorial to the Government of India a complaint was made to that effect as early as 1883. The Government of Assam made, therefore, an enquiry as to the fairness of the task and to the length of time required by a new immigrant to do the full task.[2] This task was found to be more than a new immigrant could do in the allotted time and the Act of 1901 made the half task of a new immigrant as equivalent to the full task for the first six months, as noted before. This provision brought some relief only in the case of new

1 *Ass. Lab. Eng. Com. Rept.*, 1921-22, pp. 31-34.

2 *Ass. Lab. Rpt.*, 1888, Appendix, p. XVI.

immigrants, and that also for a short time only. The task remained as heavy as before.

In recent years, the question has centred round the rate of wages rather than the task. If the rate is high, even a partial completion of the work may ensure the workers an adequate income.

## 2. MODE AND TIME OF PAYMENT

Since the wages of workers on plantations, especially on tea gardens in Assam, consist of both money rates and concessions, the payment is also made both in cash and kind. Formerly, when rice was sold to contract labourers at a fixed rate, payment in kind was more common than in cash. On many gardens in Upper Assam the daily payment was often made in brass tokens which were cashed weekly on the gardens or commissioned to a shop. But with the gradual disappearance of the rice concession, except in the time of high prices, payment in kind has also begun to disappear.[1] In cases where the rate of wages was fixed by the month and paid by the day or week, sometimes the worker did not get the full share of his earnings. The Assam Labour Enquiry Committee of 1921-22 noted several such cases, especially among the labourers working under Act XIII of 1859 contract.[2]

The period of wage-payment similarly varies on plantations, especially on tea gardens. In the Assam

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1 Cases are known where the tokens were not honoured at the face value. The extent of such abuse is, however, not known. *Ass. Lab. Rpt.*, 1921-22.

2 *Op. Cit.* p. 35.

valley the wages are paid monthly in respect of *hazira* or regular day work, but *ticca* or overtime is paid daily in some gardens and weekly and fortnightly in others. But in the Surma valley, about 90 per cent of the workers are paid weekly and the remaining 10 per cent either daily or fortnightly. In Bengal, the wages may be paid monthly, weekly or daily, while the prevailing system of payment is weekly in Madras and monthly in the Punjab.[1]

The cases of withholding wages for more than a month are also known, especially in the case of contract labour. Provisions were made under various Acts to counteract such practices, but workers have scarcely been in a position to have their grievances rectified by any means.

### 3. VARIATION IN WAGE-RATES

The rate of wages on plantations, especially in Assam, has been determined by several factors : First, the contract system, under which practically all labourers in the beginning and a considerable number until recently, were employed; second, the possibility of earning *ticca* or wages for over-work; third, bonus and concession which all labourers are granted in the form of housing, fuel, medicine, rice at reduced prices, and land for cultivation and grazing. All these elements should be kept in mind, in order to have a correct idea of the wages received by labourers on plantations.

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1 *Bulletin of Indian Industries and Labour*, No. 34, Calcutta, 1925, p. 28.

The rate of wages of Act or contract labourers on Assam gardens was first prescribed by the Act of 1865, which fixed the monthly wages at Rs. 5 for a man, Rs. 4 for a woman and Rs. 3 for a child. The Act of 1872 revised the rates by providing for an increase of one rupee per month for both men and women for the last two years. These rates were increased by the Act of 1901 to Rs. 5.5 for a man and Rs. 4.5 for a woman for the second and third years, and to Rs. 6 for a man and Rs. 5 for a woman for the fourth year of the contract.

The payment of these rates was, however, made contingent upon the completion of daily tasks, and a considerable number of labourers never earned their full contract wages. It was an invariable custom, as conditioned by the law, that when labourers did not perform the full task, corresponding deductions were made from the wages.[1] In practice, the actual amount of wages earned by average labourers, therefore, fell considerably below the standard.[2]

As might be expected, there has been a great variation in the rate of wages on Assam tea-gardens. It is, however, difficult to estimate this variation for several reasons: first, the data on the rates of wages are not available for the earlier years; second, there is a lack of uniformity in the methods of collecting the data even in the later years. Some of the rates, for instance, refer to busy seasons and others to slack seasons. Wages for overtime work, bonus and concession were included

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[1] *Ass. Lab. Rept.*, 1879, p. 24.
*Ibid.*, 1902-13 p. 7.

in some and omitted in others. Moreover, the method of dividing the whole wages paid by the total number of labourers on the books instead of those who actually presented themselves to work also made a great difference in the rate. As a rule, from one-fifth to one-fourth of the workers were absent from work, and their inclusion in the calculation of wages was likely to make a great difference.

In 1904-05, it was finally decided that information sufficient for all purposes and of a more reliable character, would be obtained, if the wage rates were based on the returns for two typical months, namely, March and September, and the calculations of the wage averages were based both upon the number of total force on the books and upon that which actually turned out to work.[1]

There are several reasons for variation in wage-rates. The season of the year is, of course, one of the important causes. Like agricultural industries, plantations are bound to have both slack and busy seasons, the earnings in the former being smaller than in the latter. It is seen in the case of wage-rates on tea-gardens in Cachar Sadar in 1896, when the average monthly wages were Rs. 4.25 during the cold season as compared with that of Rs. 4.75 in the rainy or busy season. The chief reason for higher wages in the rainy season is the fact that the labourers have the chance of earning wages for extra work.

The contract system has been a factor in determining

[1] Compiled from *Ass. Lab. Rpt.* for 1898.

the rate of wages. As a rule, Act-labourers earned less than the non-Act or free labourers. In 1900, for instance, the monthly wages of men and women under contract were Rs. 4.65 and Rs. 3.51, as compared with Rs. 5.14 and Rs. 3.62 respectively in the case of men and women not under contract.[1] Moreover, free labourers, being acclimatised, and having longer experience, were employed in better paid posts.[2] The reverse was often the case as far as Act-women were concerned. They were often married, and, depending partly upon the incomes of husbands and children, did not feel the neccssity of extra work. Moreover, being free labourers, non-Act workers, both men and women, often gave new agreements under Act XIII of 1859 and thus received bonuses amounting to Rs. 12 in the case of men and Rs. 10 in the case of women for each year of engagement.[3]

The influence of age and sex on wage-variation is self-evident. The differential wage-scales for men, women and children were fixed by contract; the wages of women and children were respectively 20 per cent. and 40 per cent. lower than those of men. But the actual earnings of women and children were often much less than the legally-fixed rates.[4] In 1900, for instance, the wages of women were from 25 to 30 per cent. lower than those of men.[5] The wages of children, of course, varied according to the age, ranging, for instance, from Rs. 1.5 to Rs. 4 in 1901.[6]

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1 *Ass. Lab. Rept.*, 1900, p. 3.
2 *Ibid.*, 1902-1903, p. 8.
3 *Ibid.*, 1901, p. 7.
4 *Ibid.*, 1902-03, p. 8.
5 *Ibid.*, 1902-03, p. 8
6 *Ibid.*, 1901, p. 7.

The distribution of plantations over such wide areas of the province with differences in prices is, bound to make the actual rate of wages different in different districts. Thus in 1928-29, while the average wage rate was Rs. 14.08 for men, Rs. 11.26 for women, Rs. 7.36 for children in the Assam Valley, those in the Surma Valley were respectively Rs. 10.82 and Rs. 8.29 and Rs. 5.49.[1]

The fundamental factor of variation in the wage-rate has, however, been the time element. Although the rate might decrease for the time being, the general tendency of the wage movement is to rise. The increasing standard of living on the one hand and the rising level of prices on the other, are the dominating forces in the wages movement. From Rs. 7.18 a month for men and Rs. 6.16 for women in 1905-06, for which accurate data are available, the rate of wages for Act-workers rose respectively to Rs. 10.2 and 9.28 in 1917-18 or the year before Act-labour ceased to exist, showing an increase of 42 and 50 per cent. respectively in a period of 13 years, as shown below :—

VARIATION IN WAGE-RATES OF ACT-work WORKERS IN ASSAM[2]
(MONTHLY RATES IN Rs.)

| Workers | 1905-06 | 1917-18 | Percentage of increase |
|---|---|---|---|
| Men | 7.18 | 10.20 | 42 |
| Women | 6.16 | 9.28 | 50 |

[1] *Vide infra.*
[2] Compiled from *Ass. Lab. Rpts.* for respective years.

Similarly from 1905-06 to 1920-21 the monthly rate of wages increased from Rs. 7.11 to Rs. 8.97 or 23 per cent. for men, from Rs. 5.54 to Rs. 7.46 or 36 per cent for women and from Rs. 3.48 to Rs. 4.67 or 31 per cent for children among non-Act labourers in the course of 16 years.

VARIATION IN WAGE-RATE IN ASSAM TEA-GARDENS.
1905-6 TO 1920-21 [1]
(MONTHLY RATES IN Rs.)

| Class of Workers | 1905-06 | 1920-21 | Percentage of increase |
|---|---|---|---|
| Men | 7.11 | 8.97 | 23 |
| Women | 5.54 | 7.46 | 36 |
| Children | 3.48 | 4.67 | 31 |

From 1921-22 the wages of labour in Assam gardens are shown separately for the Assam and Surma Valley. From 1921-22 to 1928-29, the monthly rate of wages rose from Rs. 10.57 to 14.08 or 33 per cent. for men, from Rs. 8.11 to Rs. 11.26 or 38 per cent. for women and from Rs. 5.40 to Rs. 7.38 or 35 per cent. for children in the Assam Valley, and from Rs. 8.04 to Rs. 10.69 or 34 per cent. for men, from Rs. 6.42 to Rs. 8.69 or 35 per cent. for women and from Rs. 3.98 to Rs. 5.49 or 39 per cent. for children in the Surma Valley, thus showing a variation of from 33 to 39 per cent., as in the table below. The total unweighted rate of wages for all workers thus increased by about 36 per cent.

[1] *Ibid.*

VARIATION IN WAGE-RATES ON ASSAM TEA-GARDENS[1]
FROM 1921-22 to 1928-29 (MONTHLY WAGES IN Rs.)

| | Assam Valley | | | Surma Valley | | |
|---|---|---|---|---|---|---|
| | 1921-22 | 1928-29 | Variations in percentage | 1921-22 | 1928-29 | Variations in p.c. |
| Men | 10.57 | 14.08 | 33 | 8.09 | 10.82 | 34 |
| Women | 8.11 | 11.26 | 38 | 6.42 | 8.69 | 35 |
| Children | 5.40 | 7.38 | 35 | 3.97 | 5.49 | 39 |

## 4 BONUS AND CONCESSION

Besides regular wages, bonus and concession are also common in almost all plantation industries. These terms are used to mean any payment over and above the stipulated rate of wages. But while the former usually implies consideration of some special service or condition, the latter means payment without such consideration. Moreover, unlike bonus, concession has some element of gratuities and is often called so. There exist various kinds of bonuses on Assam gardens, but the bonus on profits, though granted to the managers and other members of the staff, is never granted to the labourers. In the opinion of planters, such bonus is difficult to operate on plantations, as the withdrawal or reduction of it in bad years is liable to be misunderstood by labourers.[2]

The term "bonus" was, however, frequently used in the case of advances made to the labourers working under Act XIII of 1859. The labourers were held responsible for these advances, which were meant to be taken out by

[1] Adapted from *Ass. Lab. Rpts.* for respective years.
[2] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 73.

the planters from the wages falling due to the labourers.[1] But, as a matter of fact, these advances were scarcely recovered, and they actually became bonuses.

The number of tea-garden workers in Assam working under the Act of 1859 amounted to 190,022 in the Assam valley alone in 1921-22, and the total sum of advances amounted to Rs. 17 lakhs. On the proposition of abolishing Act XIII of 1859, the number of such contracts began to decline, and, in 1925-26, there were 117,979 such contracts and the total amount of bonus advanced to the labourers amounted to Rs. 11.7 lakhs.[2]

Besides wages and bonus, the most common form of industrial remuneration in India is the payment of gratuities or concessions. It has been in existence since the beginning of organised industries and is the most wide-spread practice all over the country to-day. There are different forms in which concessions are made, such as free or cheap housing, wholesale or cheap rate of grain and other necessities, and free fuel and medicine.

Concessions form, however, one of the most important sources of income to the labourers in Assam tea-gardens. Formerly, they were made under contract and formed a part of the wages. Under the sections 132-136 of the Act VI of 1901, for instance, provisions were made for housing accommodation, water-supply, sanitary arrangement, hospital service and medical attendance free of charge for all workers.[3] With the abolition of this Act,

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1 *Ass. Lab. Rpt.*, Assam Valley, 1926, p. 3.

2 Compiled from *Ass. Lab. Rpts.*, for years concerned,

3 The Assam Labour and Immigration Act VI of 1901.

some of these concessions were withdrawn, while others were retained by employers out of enlightened self-interest, so that a solid block of labour force might always be available on the gardens. The very nature of plantation work requires the granting of some of these concessions.

Under both the Plantation Acts of 1882 and 1901, the supply of rice at a price not exceeding Rs. 3 per maund was made compulsory. But the main provisions of the latter Act were repealed in the Surma Valley in 1908 and in the Assam Valley in 1915, so that rice concession has now come to mean rice sold to the labourers by the employer at a rate below the current market price when it exceeds Rs. 5 a maund. In recent years, when rice became very dear, many gardens sold rice at rates below those ruling in the local market. In 1921, for instance, the grain, including both rice and paddy, thus sold by different gardens in Assam amounted to 1,117, 675 maunds, of which the market price was roughly Rs. 75 lakhs, but for which the workers were charged only Rs. 52 lakhs, thus granting a concession of Rs. 23 lakhs to the workers.[1] This concession is granted only in emergency cases. Thus, even in 1922-23 the amount of rice and paddy granted reached 487,694 maunds, for which the market price was Rs. 27 lakhs, and the price charged to labourers was

[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 27. (See also *Resolution on Immigrant Labour in Assam*, 1920-21).

Rs. 16 lakhs, the concession thus granted amounting therefore to Rs. 11 lakhs only.[1]

The leave of absence to pregnant women with allowances is also a kind of concession to women workers.[2] Before the war many gardens used to give blankets free of cost or at reduced rates to the new workers or to the sick. When the prices of clothing rose during and after the war, the concession was extended, but at present free or cheap clothing is not given to any large extent. Of other similar concessions, the most important are free firewood and advance of money without any interest.[3]

The reduced rate of rent for land held by labourers from tea-gardens is still another form of concession. In 1928-29, for instance, the labourers held 139,207 acres of land from tea-gardens at the rent of Rs. 180,734 or Rs. 1·28 an acre as compared with 11,295 acres held from other land-holders at the rent of Rs. 74,011 or Rs. 6·55 an acre. Granting that the former land was of the same productivity, including both soil fertility and marketing value, the estimated amount of the savings would amount to Rs. 733,362, which sum might be regarded as concession.[4]

Owing to reduction in land rent, a considerable number of labourers are able to cultivate land and to settle down in Assam. In 1921-22, for instance, 248,988 acres were held by such labourers directly under Govern-

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[1] The statistics for other years are not available. Compiled from *Ass. Lab. Rpt.*, for that year.

[2] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 98.

[3] *Ibid.*, pp 21-28.

[4] Compiled and adapted from *Ass. Lab. Rpts. for* 1928-29.

ment, and 17,502 acres as sub-tenants in the Assam valley. Since then there has been an increase in the acreage of such land, rising respectively to 309,231 and 19,466 in 1928-29.[1]

Free grazing of cattle is still another important concession. It helps them to own domestic animals, mostly buffaloes and cattle for the purposes of cultivation. The number of such domestic animals is not known for earlier years. In 1921-22, an attempt was made to collect information from a few typical gardens in different parts of the Assam valley. It was found that 83,338 labourers on 86 gardens owned 4,767 buffaloes and 48,610 cattle, or a total of 53,377 or 64 heads of cattle and buffaloes per 100 labourers. In 1928-29 98,258 labourers on 105 gardens owned 72,842 cattle and 6,075 buffaloes, *i. e.*, 81 heads of animals per 100 labourers.[2]

The actual benefit to workers of some of these so-called concessions has, however, been questioned. The allotment of garden land for cultivation, for instance, can scarcely be termed concession. In a desire to encourage settlement in certain areas, the Government of Assam itself rents land at concession rates, and in 1928-29 ex-garden workers held 309,231 acres of such land directly from the Government. In most cases, the gardens themselves secure this land from the Government at concession rates and allot it to the workers for retaining a constant source of labour supply near at hand. While working in their own land, the workers do not receive any wages from

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[1] Compiled from *Ass. Lab. Rpts.* for respective years.

[2] *Ibid.*

gardens. Moreover, only a section of the workers can avail themselves of such concession.

The most objectionable feature of some of the concessions is the demoralising effect upon the attitude of labourers. The accommodation of workers on the premises of gardens, and various other concessions instead of payment in the form of money wages, especially the grant of rice at reduced prices, help in making the labourers subservient to the gardens. The Assam Labour Enquiry Committee of 1921-22 was constrained to admit that, owing to the system of rice advances, the labourer was reduced to what was practically a condition of servitude, in that, although he was fed by the estate, he was unable to pay for his food and received no cash wages at all at the end of the month, with sometimes an increasing load of debt accumulating round his neck.[1] Although such extreme cases were quite exceptional, the general effect of it upon the mind of the labourer could not be minimised.

One of the questions which the above Committee was asked to consider was whether it was possible and desirable to convert various concessions into an equivalent in money wages. The general reply given by the planting community was in the negative. The Committee held that the principle of payment in kind was open to objection in that it was optional, uncertain and liable to abuse. As regards housing, medical attendance and land for cultivation, the Committee concluded that their conversion into a money equivalent was "impracticable and undesirable both from the point of view of the labourer

[1] *Op. cit.*, p. 17.

and of the garden," but as regards rice and clothing, the Committee recommended that the "labourer should have the opportunity of earning a sufficient wage without working overtime to enable him to buy rice and clothing in the open market."[1]

### 5. NOMINAL AND REAL WAGES

The most important question in connection with industrial remuneration is that of real wages, which alone can indicate the welfare of workers. There are, however, some difficulties in making any definite statement on real wages in India, owing to the fact that there are scarcely any definite data on the rate of wages or on the index number for the cost of living except in a few industries.

Efforts have, nevertheless, been made from time to time to ascertain the well-being of workers in certain industries, especially of those in Assam tea-gardens, and some of the findings throw considerable light on the real wages of labourers. Taking all the cash wages, concessions and subsidiary incomes into consideration, the question has been whether they were sufficient to maintain workers in "health and reasonable comfort," meaning by the last terms "the possibility of saving a little," as the Assam Labour Enquiry Committee of 1921-22 defined it.[2]

It must be remembered that the rate of wages for labourers on Assam tea-gardens was fixed by the Act of 1865. But there was very little appreciable change in the wage rate until the year 1901. "During the forty

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 29.
[2] *Op. cit.* p. 40.

years that have elapsed", observed the Report on Labour Immigration into Assam for 1896, "since coolies were first imported from Bengal, the prices of all commodities in Assam have risen greatly, but wages are at almost the same level now as they were then."[1] Although rice was still granted at the reduced price of Rs. 3 a maund, the prices of other commodities were higher than before. On some gardens, there was a tendency on the part of planters to pay a little higher wages, but on most of the gardens, the minimum wages were closely followed.[2]

During the same year, the attention of the Government of Assam was directed to the question of labourers' standard of living, and the sufficiency of wages, specially in the case of newly arrived labourers, who had no subsidiary income, was doubted by the Government. "There seems to be very little doubt," continued the Report on Labour Immigration into Assam of that year, "but that the offer of higher wages would have attracted a better class of labourers, and that not only would the death-rate be thereby reduced, but that the employer would also gain in the long run by the reduction in the cost of medicines and diet for the sick and by the greater capacity of his labour force for continuous and sustained labour."[3]

Even these low rates of wages fixed by the law were not often earned by labourers, as pointed out by the

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1 *Ass. Lab. Rpt.* 1896, p. 24.
2 *Ibid.*
3 *Ibid.*

Government of Assam in 1900. Judged by the money wages alone, there was a drop in the wages of labour from 1895 to 1900, and even some of the concessions were withheld. There was left no doubt in the mind of the Assam Government that employers were endeavouring to effect economy in working at the expense of the labour force. "Such cases show," continued the Report on Immigrant Labour into Assam for that year, "the ease with which employers, when they are so disposed, can set aside the provisions of the law for the protection of labourers . . . These figures and facts, when they are considered in connection with the annual expenditure of some thirty lakhs of rupees for acquiring coolies—an outlay which would have been unnecessary if the wages offered were sufficient to attract labour—leave the Chief Commissioner more and more convinced that the insufficiency of wages is the most serious of the troubles from which the industry in Assam is suffering."[1]

The money wages of the labourers somewhat increased from 1900 to 1905, as shown later on. The conditions of the labourers seemed to have improved, as attested by the Assam Labour Enquiry Committee of 1906. "Though some labourers owing to ill-health and indolence earn insufficient pay," continued the Report of the Committee, "the Committee are of opinion that on the whole the wages paid to labourers are sufficient to keep them in comfort, and even enable them with the practice of a little thrift to save money."[2] This statement does not seem to be corroborated by other investigations.

[1] *Ass. Lab. Rpt.*, 1900, p. 10. [2] Report, *op. cit.*, p. 72.

Considered from the money wages alone, there was a continual decline in the real wages of Assam garden labourers, as pointed out by Mr. Datta in his *Report on the Enquiry into the Rise of Prices in India* in 1914. Taking the figures from 1890 to 1894 as the base, the money wages of the Assam labourers rose to 105 in 1895, declined to 103 in 1900 and then gradually rose to 120 in 1912, as shown in the table below. It is also seen that it rose only by 21 per cent. as compared with 89 per cent. in the case of agricultural labourers during the same period[1] :—

VARIATION IN NOMINAL WAGES OF AGRICULTURAL AND TEA-GARDEN LABOURERS[2]

| | 1895 | 1900 | 1905 | 1912 |
|---|---|---|---|---|
| Agricultural Labourers | 105 | 125 | 147 | 189 |
| Tea-Garden Labourers | 106 | 103 | 106 | 120 |

There was a decline, however, in the real wages. This was due to the fact that from the year 1905, Indian prices entered a new phase of rapid rise, following the general upward movement in price levels throughout the world.[3] As compared with the basic wages, the average real wages for 1905-09 fell by 10 per cent. and although there was a slight increase in 1912, they still fell below the basic wages by 5 per cent., as shown in the table below. During the same period the real wages of agricultural labourers increased by 38, as also noted below.

[1] Report, *op*, *cit.*, pp. 169-170.
[2] *Ibid.*, p. ix.
[3] *Ibid.*, pp. 169-170.

VARIATION IN REAL WAGES OF AGRICULTURAL AND TEA-GARDEN LABOURERS.[1]

| Classes of Labourers | 1895 to 1899 | 1905 to 1909 | 1912 |
|---|---|---|---|
| Agricultural Labourers | 103 | 123 | 138 |
| Tea-garden Labourers | 101 | 90 | 95 |

These discrepancies in the reports on the well-being or real wages in 1905 might be partly explained on the ground that while the one caculated them on the basis of cash wages only, the other took the concessions and subsidiary incomes into consideration.

The latest authoritative investigation of the variation in the real wages of tea-garden labourers in Assam was made by the Assam Labour Enquiry Committee of 1921-22. Taking the standard of an average working family as consisting of one working man, one working woman and three-tenths of a child, and basing the figures for 1914, on the average earnings of September 1913 and 1914, and for 1922 on the average earnings of September 1921 and March 1922, as already referred to, the Committee came to the conclusion that the rise in family earnings was 22.3 per cent. for the Assam Valley, 12.3 per cent. for the Surma Valley, and 19.2 per cent. for the whole province.[2]

Regarding the prices of commodities the budget of an adult male labourer was Rs. 7.31 in March 1921, as compared with Rs. 5.21 in March 1914, *i. e.*, 39.95 per

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[1] *Ibid.*, pp. 169-170.

[2] *Op. cit* p. 67-68.

cent. higher. In other words, while the prices increased by 39.95 per cent., the nominal wages increased only by 19.2 per cent. The Committee came to conclusions that real wages of labourers had been lowered in recent years.[1]

Since 1922 there has, however, been an increase in the real wages of the Assam tea-garden workers. It has been shown that from 1921-22 to 1928-29 their nominal wages increased by 36 per cent. As to the movement of retail prices in Assam, there exist no data to offer any basis for accurate estimation of real wages. The wholesale prices in Calcutta may, nevertheless, give some rough idea on the subject.

Taking into consideration such articles as cereal, pulses, sugar, other food articles and cotton manufactures, which are generally consumed by the labourers, it will be seen in the following table that the average price of all these commodities declined to 83 in 1929 as compared with that in 1922, thus showing a decrease in prices by 17 per cent. during the period.

INDEX NUMBERS OF WHOLESALE PRICES IN CALCUTTA 1922-1929.[2]

| *Articles* | *1922* | *1929* |
|---|---|---|
| Cereals | 100 | 91 |
| Pulses | 100 | 100 |
| Sugar | 100 | 73 |
| Other food articles | 100 | 87 |
| Cotton manufactures | 100 | 66 |
| Average | 100 | 83 |

[1] *Op. cit.*, pp. 67-68

[2] Adapted from the index numbers of wholesale prices in Calcutta. See *The Indian Trade Journal*, Calcutta, September 25 1930, p. 779.

It must, however, be remembered that the sharp fall in the wholesale prices is not immediately reflected in the retail prices and also that the lower prices in Calcutta cannot affect, to the same extent, the prices on the plantations in the out-of-the-way places in Assam, where "the garden shop-keeper waxes fat on the coolies' earnings".[1] Moreover, since the abolition of the indenture system and of Act XIII of 1859, some of the concessions have been withdrawn, thus lowering the total earnings of the labourers. But there cannot be any doubt that the real wages of the labourers on Assam tea-gardens, as indicated by their cash wages, have increased by 19 per cent. in 1929 in comparison with those in 1922,

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*Ass. Lab Enq. Com. Rpt.*, 1921-22, p. 101

# CHAPTER X

## STANDARD OF LIVING

The most important phase of the labour question is, however, the standard of living. The :object of all production is consumption, and material welfare as indicated by the standard of living is a preliminary condition to intellectual and moral progress. While an industry may not concern itself with anything outside the material aspects of life, it must share, in order to justify its existence, a part of its profit with the workers, who contribute to its success and who are thus entitled to a decent standard of living.

The standard of living is, however, a vague term. It varies in time and place. It contains, nevertheless, several elements which need taking into consideration. In the first place, any kind of standard must provide the *necessities* of life, without which life is impossible. Moreover, with the progress of society there also arise new desires and aspirations, the satisfaction of which leads to new necessaries of life. In the second place, a standard of living must also provide for those *decencies*, which are needed for the increasing craving for finer things in conformity with both the increasing personal taste and social ideals. In the third place, the instinct of self-display also leads to *luxuries*. While there is no limit to "conspicuous consumption," a certain amount of it is still essential for the gratification of human nature.

It must be remembered that there is no sharp line of demarcation between *necssaries*, *decencies* and *luxuries*, and what are luxuries to-day become decencies or even necessaries to-morrow. Finally, to save for the future is also a natural impulse in man, and one must also have chances for *savings* after meeting the annual expenditure. In judging the standard of living, all these factors must be taken into consideration.

### 1. HOUSING CONDITIONS

The first question in connection with the standard of living is that of housing. The housing of labour population is, however, a part of the organisation of plantation industries. This is due to the fact that most of the plantations are located in isolated localities and are worked by imported labour. To supply housing accommodation to workers and their dependents has, therefore, become a general policy of the plantations.

By far the largest number of plantation labourers, in fact, live on or near the plantations. It has been noted before that out of 1,053,944 workers on tea, coffee and rubber plantations in 1928-29, 834,588 workers, or about four-fifths, were living on the plantations themselves. Including their dependents, the number of labour population on plantations must be much larger. On the Assam tea gardens alone, for instance, the number of dependents amounted to 45 per cent. of the total labour population. On that basis the total number of plantation workers living on all plantations would be about 1,517,432.

The labour population on plantations are housed in

"lines" or colonies. The greatest defect of these "lines" is the fact that they are overcrowded. The houses are built very close to one another, without a proper outlet for conservancy and ventilation, thus subjecting them to insanitation and epidemics. This is one of the main reasons for the high rate of mortality on plantations until very recently. Regarding water supply, sanitary arrangements, and other aspects of the labour "lines" much has been already said in a previous chapter.

Besides overcrowding, insufficiency of accommodation for all the members of the family is a great defect. In most cases, several members of the family sleep in the same room. Very few, if any, houses have separate accommodation for children and adult people. Decency, convenience and comfort are thus lacking in most of the houses on the plantations.

The labour population living outside the plantations would amount to about one-fifth. It has been the policy of the plantations to grant or secure land for the workers so that when settled, they might become a source of labour supply. In 1928-29 the area of land settled by Assam garden labourers, for instance, amounted to 303,231 acres directly held under Government and 19,466 acres held as sub-contracts.[1] The average area occupied by a family is about two-fifths of an acre for dwelling and cultivation.[2]

The dwellings of the labour population living outside

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[1] *Ass. Lab. Rpt.*, 1928-29, pt. I, p. 2.

[2] See *Report on Labour Conditions in India* by A. A. Purcell, M. A., and J. Hallsworth, London, 1928, p. 35.

the plantations resemble more or less those in the villages. Although overcrowding is avoided, convenience, comfort and decency are as much lacking in these settlements as in the "lines." As regards sanitation and water supply, there is scarecly any improvement in the former as compared with those in the latter.

## 2. FOOD AND CLOTHING

A still more important question is that of food and clothing. Besides sanitary, convenient and comfortable dwellings, what the workers need is wholesome and sufficient diet. Insufficient nourishment is a national calamity in India, and the workers on the plantations are no exception to this rule.

In the study of diet as an element of the standard of living, three things must be taken into consideration, namely, quantity, quality and the proportionate value in the whole family budget. While the first two items contribute to the health and vigour of the workers, the last one indicates the relative value of other elements in the standard of living.

What is the exact amount of food necessary for the normal growth and the power maintenence of the body is a question which it is difficult to determine. It depends not only upon the quantity but also on the quality of the food. The quantity of food can, nevertheless, give some rough idea of the condition of the standard of living. According to the census estimate of 1921, a family of three adults and two children (one of whom was working), or roughly four "adult" persons, consumed 41 maunds 16

seers of food, *i. e.*, 10 maunds 14 seers, or 849 lbs., per person a year, as shown in the table below. Besides, milk also formed an item of the dietary, amounting to 30 lbs. a year.

ESTIMATED *per Capita* FOOD CONSUMPTION ON ASSAM TEA GARDENS.[1]

(A family of 3 adults and 2 children or 4 "adults")

| *Items.* | | *Total quantity* | | *Per capita quantity* | |
|---|---|---|---|---|---|
| | | *Maunds.* | *Seers.* | *Maunds.* | *Seers.* |
| Rice | | 29 | 16 | 7 | 14 |
| Pulse | | 1 | 32 | 0 | 18 |
| Salt | | 0 | 36 | 0 | 9 |
| Oil | | 0 | 12 | 0 | 3 |
| Sugar or *gur*[2] | Rs. 12 or | 1 | 20 | 0 | 15 |
| Fish or flesh | Rs. 7-8 or | 1 | 20 | 0 | 15 |
| Vegetables | Rs. 6 or | 3 | 0 | 0 | 30 |
| Total | | | | 10 | 14 |
| Milk | Rs. 6 or | 1 | 20 | 0 | 15 |

In the same year, the food consumed by a Madras prisoner was 741 lbs.[3] In comparison with the Madras prisoner, the Assam garden labourers were getting better food. About the same period, the national diet of Japan amounted to 903 lbs. per person a year, and that of America to 1,904 lbs of solids a year, besides 760 lbs. of liquids or milk.[4]

Clothing is as meagre as food, if not worse, in India, amounting in value, only 8 per cent of the budgets of the 13 families under consideration. It not only verges towards the indecency line, but is often insufficient for

[1] Based on the Census Report, 1921. See *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 123.

[2] Sugar or *gur*, fish and flesh, vegetables and milk have been calculated at the rate of Rs. 8, 5, 2 and 4 a maund.

[3] See the Author's *Factory Labour in India*, p. 162.

[4] See Author's *Factory Labour in India*, p. 162.

health and comfort. Although the winter is not severe, most of the people suffer from cold owing to the lack of sufficient warm clothing. It is for this reason that the granting of blankets formed a kind of concession on plantations in the earlier years, as noted before.

Food and clothing form by far the largest part of the family budgets of the labour population. A study of the family budgets of 13 families shows that the average expenditure for food and clothing amounted to 81 per cent. or over four-fifths of the whole budget, thus leaving only one-fifth for the other expenses.

EXPENDITURE FOR FOOD AND CLOTHING OF ASSAM GARDEN WORKERS.[1]

(Annual expenditure in rupees in round numbers.)

| No. of Budgets | Total Expenditure. | For food Amount. | For food per cent. of total. | For clothing Amount. | For clothing per cent. of total |
|---|---|---|---|---|---|
| 1 | 422 | 314 | 74 | 46 | 10 |
| 2 | 200 | 146 | 73 | 17 | 8 |
| 3 | 254 | 174 | 68 | 43 | 16 |
| 4 | 149 | 127 | 85 | 8 | 5 |
| 5 | 183 | 151 | 82 | 12 | 7 |
| 6 | 294 | 229 | 78 | 21 | 7 |
| 7 | 315 | 224 | 71 | 21 | 6 |
| 8 | 282 | 214 | 75 | 35 | 12 |
| 9 | 312 | 238 | 76 | 24 | 6 |
| 10 | 407 | 268 | 65 | 24 | 6 |
| 11 | 224 | 132 | 60 | 16 | 7 |
| 12 | 492 | 397 | 81 | 52 | 10 |
| 13 | 463 | 309 | 66 | 34 | 7 |
| Total average | — | — | 73 | — | 8 |

One of the essential differences between the expenditure of the Assam tea-garden labourer and that of the

[1] *Compiled and adapted* from the Census Report of Assam for 1921. See *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 124.

factory worker in cities like Bombay is that there is no expenditure for house rent and fuel in the case of the former. Housing accommodation on the plantations is supplied by the planter, and the fuel is gathered from the neighbouring forests. The expenditure of a typical family, including husband and wife, a working boy of 12 and two other children, amounted to Rs. 282 a year, consisting of Rs. 214, or 75 per cent., for food ; Rs. 35, or 12 per cent., for clothing ; Rs. 12, or 4 per cent., for lighting ; and Rs. 21, or 9 per cent., for miscellaneous items.[1]

According to the Report of an enquiry into the working class budgets in Bombay in 1923, the average expenditure of 3076 families, including 603 single men's budgets, amounted to 56.8 per cent. for food, 9.6 per cent. for clothing, 7.4 per cent. for fuel and lighting, 7.7 per cent. for house rent, and 18.5 per cent. for miscellaneous items.[2]

In comparison with Bombay workers, some workers perhaps pay proportionately more for food and clothing but they are worse off in respect of the miscellaneous expenditure, which is the real indicator of the higher standard of living.

### 3. ALCOHOL AND NARCOTICS

One of the worst features of the labour conditions on plantations is the consumption of liquors and narcotics. The habit of consuming the country-made liquors, opium and *ganja* (an intoxicating preparation of Indian hemp) prevails extensively among different classes of the population, although varying in extent and kind according

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 130.

[2] *Loc. cit.*, pp. 14, 41.

to the races and castes. Drinking is a common practice among the aboriginal races, but it is interdicted among the Mahommedans. The consumption of opium is more common among the Assamese than among the inhabitants of any other province. The smoking of *ganja* is, however, a widely spread practice among a large class of the people.

The extent of the use of liquors and narcotics can best be judged by an analysis of the family budgets of the working population on Assam tea gardens. Thirteen family budgets out of nineteen collected by the census of 1921, showed that the expenditure on liquors, opium and *ganja* varied from 3 per cent. to 23 per cent., with an average of 8 per cent., as shown in the table below :

CONSUMPTION OF LIQUORS AND NARCOTICS ON ASSAM TEA GARDENS[1]

(Rupees in round numbers)

| Number of family budgets | Total Expenditure | Expenditure on liquors and narcotics | |
|---|---|---|---|
| | | Amount | Per cent. of total |
| 1 | 200 | 15 | 7 |
| 2 | 48 | 2.5 | 5 |
| 3 | 36 | 6 | 16 |
| 4 | 255 | 15 | 6 |
| 5 | 183 | 6 | 3 |
| 6 | 19 | 2 | 10 |
| 7 | 16 | 1 | 6 |
| 8 | 294 | 21 | 7 |
| 9 | 315 | 24 | 7 |
| 10 | 312 | 13 | 4 |
| 11 | 406 | 52 | 13 |
| 12 | 223 | 52 | 23 |
| 13 | 462 | 19 | 4 |
| Average | 199 | 17.5 | 8 |

[1] Compiled from the *Assam Census Report* ; see also *Ass. Lab. Enq. Com. Rpt.*, 1921-22, pp. 124-32.

In some of the families the expenditure was limited to liquors alone, while others consumed opium or *ganja.* • There are still other families which consumed all three of these products. The family no. 12, for instance spent 52 rupees, or 23 per cent. of its total expenditure, on liquors; the family no. 5 spent 6 rupees, or about 3 per cent. of total expenditure, on opium ; and the family no. 4 spent 15 rupees, or 6 per cent. of total expenditure, on opium, *ganja* and liquor during the course of a year.

While the habit of drinking has often been taken from homes to plantations, the opium habit is mostly acquired in Assam. The tea garden workers are generally conservative and do not easily change their habits. Yet once they acquire it, it is hard to make them give it up. An alarming feature is the fact that the opium and *ganja* habit seems to be increasing. Out of 201 managers of tea gardens in Assam to whom an enquiry was recently addressed on this subject, 83 managers reported an increasing consumption of *ganja* and 53 managers of opium.[1] "Our evidence is not sufficient to speak positively," says the Assam Congress Opium Enquiry Report, 'but there are signs in certain parts of the Assam valley that the habit is actually growing among them"[2]

That the use of liquors and narcotics is injurious to health and interferes with the efficiency and welfare of the workers needs scarcely any discussion. The problem is how to discourage the growth of this habit. The Assam

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[1] *The Assam Congress Opium Enquiry Report*, Calcutta, 1925, p. 33.

[2] *Ibid.*, p. 32.

Congress Opium Committee has recommended the restriction of the consumption of opium to the medical and scientific needs and the creation of public opinion against its use by education and by agitation in the Press, platform and educational system.[1]

### 4. LOANS AND SAVINGS

Indebtedness is another hardship from which the majority of the workers suffer on plantations. The high rent of land and exorbitant rate of interest are two of the evils from which all the Indian masses suffer more or less. Even before going to the Assam tea gardens, a large number of emigrants are in debt and one of the most difficult tasks of recruitment is to settle the debt before embarkation. Even after arrival at the gardens, most of the labourers remain in debt.

The system of payment often leads the worker into debt. The rice advances, which are common on plantations, are sometimes kept outstanding against the labourer for a series of years. From time to time, when his earnings permit, deductions are made with a view to reducing the debt. As purchase on credit has a greater tendency to consumption beyond means than that on cash, most of the labourers remain in debt from the time they enter the gardens until the end, in spite of the fact that the labourers often work overtime to pay off the debt. The Assam Labour Enquiry Committee of 1921-22 had no hesitation in condemning the system of rice advances on credit as pernicious. Many cases are known where the labourers could not get discharge certificates from

[1] *Ibid.*, pp. 51-52.

the planters on the ground that they owed money to the estates.[1]

One of the reasons of heavy indebtedness on the part of the labourers, as, in fact, of all classes of people in India, is extravagant expenditure on the occasion of births, marriages and deaths. The money on such occasions is generally advanced by the money-lender at an exorbitant rate of interest. Though it is difficult to estimate the extent of such advances on plantations, the existance of them cannot be denied.

Another sign of a decent standard of living is that after balancing the income and expenditure there is left some savings. In this world of constant economic struggles, nothing cheers a man so much as the fact that he has been able to save something from his income for his old age or unforeseen events. In fact, the importance of savings as a part of a reasonably comfortable standard of living was admitted by the Assam Labour Enquiry Committee of 1921-22.[2]

An examination of the seventeen family budgets quoted by the Census Report of 1921 shows, however, that only three of them had savings of 3, 10 and 13 per cent[3]. Whether other families had saved anything or not is not known, but when most of the families are in debt, as shown above, it is scarcely possible for any of them to save anything out of their meagre income.

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[1] *Loc. cit.* p. 74.

[2] See *Nominal and Real wages*, above

[3] Adapted from the *Ass. Lab. Enq. Com. Rpt.*, 1921-22 pp. 122-32.

### 5. EDUCATION AND RECREATION

One of the most important questions of plantation labour is that of education. The very fact that most of the children on plantations live with their parents means that their education must be provided on the plantations themselves if they are to be educated at all. But up to the present there is scarcely any provision for their education on the plantations, nor do the workers spend anything for the education of their children, as indicated by their family budgets. None of the family budgets on the plantations have any item for education.

Some years ago the Assam Government deputed to an official the special duty of enquiring into the question of educating tea-garden labourers and the possibility of estabilishing schools on tea-gardens. As a result, several schools were started on various tea-gardens, but the attempt did not succeed[1] due to the lack of encouragement from both parents and managers. As long as children are profitable both to planters and parents alike, there is scarcely any chance of success for voluntary education.

The greatest hindrance to the success of primary education is the lack of the free and compulsory education system. No country has yet been able to solve the problem of illiteracy among the masses without free and compulsory education, and India cannot be an exception. Although local Governments have been permitted to do this, very few of them have yet been able to take any definite step in that direction.

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[1] *Ass. Lab. Enq. Com. Rpt.*, 1921-22, *p.* 100,

Like education, recreation is also an essential requirement of life. The existing provisions for making the life of the labourers on plantations more interesting are very limited. In the remoter districts there are opportunities for hunting and fishing, which appeal to the aboriginal races. On some gardens football has become popular, and an itinerant bioscope show is given in some districts in the cold weather. Some of the estates also contribute towards national festivities, such as Durga Pujah ; but the provisions for recreation are very limited in scope. The family budgets of the workers show that there are few items for recreative purposes, and they could not, therefore, afford to spend money for recreation out of their meagre family incomes. Moreover, to devise such methods of recreation as will recuperate the body and elevate the mind at the same time is not easy.

Both education and recreation should be provided for by the plantations, and they might be conveniently organised in connection with the welfare work. It must be remembered that nothing will make plantation work more attractive than a proper provision for education and recreation.

### 6. WELFARE WORK

One of the most important methods of ameliorating the conditions of labour is welfare work. The importance of welfare work becomes all the greater in India, where social legislation still lags behind, and workers specially on plantations, are still unable to ameliorate their own conditions. The most important phases of welfare work on plantations, specially in Assam, are sick (*hazira*) payments, pensions and maternity benefits.

According to the Assam Labour Enquiry Committee, some of the gardens give adequate assistance to men and women who are not able to work owing to sickness. Under the contract system, the total number of the days due to absence through sickness was added to the cantract under Act XIII of 1859, when they were employed in terms of working days. Under section 130 of Act VI of 1901, this was permissible only when the total number of days absent exceeded thirty days in any one year, and the inspector in charge had given his sanction to that effect. But with the abolition of the contract system, these conditions do not exist any more. The present system is to give the sick half pay or hospital diet. In the case of the labourers employed on a weekly basis, it is usual in many gardens to give them light work on full pay until they recover full strength.[1]

Another important question is the provision for old age in the case of labourers who have spent all their life on plantations. Some of the gardens give small pensions in cash to deserving workers who have earned them by long and faithful service, but such practices are rare. As a rule, old workers are given light work, and sometimes allotments of garden land for cultivation.[2] While this system of pensions is very much appreciated, its scope is very much limited. The provision of superannuation on a large scale can only be undertaken by the State and it will be long before India will be in a position to

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[1] *Ass. Lab. Enq. Com. Rpt.*, 921-22, pp. 99-100.

[2] *Ibid.*, p. 101.

undertake this system of old age pensions on a nation-wide basis.

Maternity benefit is still another system of welfare work on plantations. The question is becoming important not only because of its international significance since the inauguration of the International Labour Organisation, but also because of its practical and economic value. The difficulty and expense of recruiting labourers for plantations have led the planters to become more generous and liberal in the treatment of women during and after confinement. The maternity allowance is granted in three ways : first, a woman can get free meals, if she goes to hospital, but as a matter of fact very few women do that ; second, pregnant women are granted an allowance only when absolutely necessary, that is, when there is no working member in the family ; third, some of the gardens give leave of absence three months before and after confinement with full pay for the whole period while others give a similar period of leave of absence and ten pounds of rice a week free of cost and Rs. 1·5 a month in cash. But this generous treatment is not common. There is, however, a tendency towards increased liberality in granting leave of absence to women before and after childbirth, and also some kind of remuneration during the period.[1]

The question of maternity benefits can scarcely be solved by philanthropy or welfare work. The importance of adequate legislation has been realised by almost all advanced countries, and such legislation has been passed

[1] *Ibid.*, p. 98.

even by the Government of Bombay in the case of the women employed in factories. Legislation should be enacted by the Government of India for maternity benefits to women in all industries, including plantations, where are employed the largest number of women labourers in India.

The scope of welfare work is much wider than that which can be covered by payments to the sick and to the old, or the maternity benefits. The provision for medical help and medicine is an important item in welfare work, but since the labourers work and live on plantations, this is a part of plantation organisation. As noted before, education and recreation offer special opportunities for welfare work, which can be easily undertaken by plantations for the benefit of the workers as well as for themselves.

# CHAPTER XI

## PROBLEMS AND CONCLUSIONS

In the foregoing chapters the origin, growth and conditions of plantation labour have been discussed. Although the space here will not permit the full discussion of the various problems, some of the outstanding ones may, nevertheless, be pointed out.

### 1. OUTSTANDING PROBLEMS

One of the most important problems of plantation labour is recruitment. It has already been noted that, inspite of the vast population, the labour supply for organised industries, specially for plantations in Assam, is quite inadequate. There are several causes for the scarcity of labour supply, namely: first, unhealthy and uncongenial climate of the country, and the distance and insolation of the plantations from the sources of labour supply; second, universal illiteracy, which keeps nine-tenths of the population in ignorance about industrial opportunities, and lack of impartial and adequate information; third, penal sanction and the indenture system under which labourers were employed, and deception and falsification in recruitment, discomfort, and suffering in transportation and disease and mortality on the plantations, which characterised plantation labour until recently; fourth, insanitary conditions, long hours, heavy work, and low wages, which still exist in most of the tea gardens.

The solution of the problem depends upon several factors, namely : first, the improvement of the general level of culture among the masses, which will enable them to take advantage of the industrial opportunities on the one hand, and to guard themselves against exploitation and undue advantages by employers on the other ; second, the establishment of public employment bureaus for giving impartial advice on industrial opportunities and for helping in securing employment abroad ; third, a cheap transportation system, for helping the emigration of the working people from the places of residence to those of work—the work of transportation may be conveniently combined with that of employment ; and fourth, the betterment of the conditions of work and life on plantations themselves, by legislation or otherwise, so as to make them more attractive to the prospective workers.

It may be said that the provision of employment bureaus and cheap transportation will imply the introduction of class legislation. Inasmuch as finding employment for workers leads to the material prosperity of the people as a whole, they must be regarded as public services, and the cost must be borne by the State. If necessary, employers might be charged a fee towards partial payment of the expenditure. It must be remembered that the planters spend an immense amount of money for recruitment. In 1928-29, for instance, 44,751 sardars were employed for recruiting only 73,198 emigrants, that is, 1. 63 workers per sardar. It has been estimated that the expenditure for recruitment amounts to from Rs. 100 to Rs. 125 a worker recruited.

The improvement of the working and living conditions, including better sanitation, shorter hours, higher wages, and better living, is, however, the most important problem. Although sanitation has been improved, as indicated by the lower death-rate, in recent years, much still remains to be done. In most of the gardens in Assam the system of conservancy is still insanitary, the supply of drinking water inadequate, the "lines" of the workers overcrowded, the dwellings inconvenient and uncomfortable, and provisions for medical help and medicine insufficient. The hours of work are long, inasmuch as the labourers have to work overtime and occasionally on Sundays. Children begin work at a very early age, and receive no education. A system of wages which requires the worker to depend upon the earnings of his wife and children or upon a subsidiary industry just in order to earn the *necessaries* of life, not to speak of *decencies*, *luxuries* and *savings*, can scarcely justify its existence from the point of view of social welfare or national economy.

The solution of the problem depends upon four agencies, namely ; (1) intelligent public opinion, (2) progressive legislation by the State, (3) enlightened self-interest of the employers, and (4) concerted action of the workers. The greatest dynamic force in modern society is public opinion. While scientists and philosophers can study a new social condition and create a new ideal of social justice, it is public opinion or the national will that can enforce the incorporation of this ideal into social and legislative institutions.

The most effective agent for ameliorating the social and industrial conditions is, however, the State, which is the most important institution in modern times for carrying out the social will into social action. This is specially true in the case of India, where social consciousness has not yet fully developed, public opinion is ineffective, and private organisations for social welfare are undeveloped. Moreover, social legislation is primarily the duty of the State, and it is the legislative measures through which progress has been achieved in the labour conditions. As a member of the International Labour Organisation, which is a most potent force in ameliorating labour conditions, India has given effect to several of the Conventions and Recommendations adopted by the International Labour Conference. But plantation labour is still more or less outside the scope of the International Labour Conference, and improvement in this direction must be effected by a higher sense of social justice among the educated classes.

That the employer is an important agent for ameliorating labour conditions requires scarcely any discussion. Health, education, recreation, and even the higher standard of living, lead to the efficiency and contentment of the workers, which are bound to increase production and decrease cost. In fact the ideals of progressive legislation in many cases were first set up by the employers themselves. This enlightened view is not, however, shared by most of the employers, and an industry is very often nothing but a means of exploiting the working class.: The plantation industry, especially

in Assam, is a conspicuous example of this statement. Only a strong public opinion and a progressive system of labour legislation can make the employers take an enlightened view of the question.

The most important agent for improving labour conditions is, however, the workers themselves. As they are the actual sufferers, it is they who can really ameliorate their conditions. Both public opinion and State intervention have their limits. Most of the employers will not part with their profits and privileges unless they are forced to do it under the pressure of the workers' demand. But in order to be in a position to make an effective demand and ameliorate their conditions, the workers must be intelligent enough, and must know how to organise themselves for concerted action.

One of the most important labour questions is, therefore, the development of organisation. Both the general illiteracy among the workers and the isolated nature of the plantations are great hindrances to the growth of labour organisations on plantations. There is no doubt that the workers often undertake concerted action out of fellow-feeling, class interest, and common grievances, but they have not yet developed the power of sustained activity, nor that of organisation, which is required by a modern trade or labour union.

As a result of the national awakening, workers even on plantations, however, have been giving up the century-old inertia and inactivity, and have been realising the significance of their existence and the value of their service to society. The growing conflict between themselves

The most effective agent for ameliorating the social and industrial conditions is, however, the State, which is the most important institution in modern times for carrying out the social will into social action. This is specially true in the case of India, where social consciousness has not yet fully developed, public opinion is ineffective, and private organisations for social welfare are undeveloped. Moreover, social legislation is primarily the duty of the State, and it is the legislative measures through which progress has been achieved in the labour conditions. As a member of the International Labour Organisation, which is a most potent force in ameliorating labour conditions, India has given effect to several of the Conventions and Recommendations adopted by the International Labour Conference. But plantation labour is still more or less outside the scope of the International Labour Conference, and improvement in this direction must be effected by a higher sense of social justice among the educated classes.

That the employer is an important agent for ameliorating labour conditions requires scarcely any discussion. Health, education, recreation, and even the higher standard of living, lead to the efficiency and contentment of the workers, which are bound to increase production and decrease cost. In fact the ideals of progressive legislation in many cases were first set up by the employers themselves. This enlightened view is not, however, shared by most of the employers, and an industry is very often nothing but a means of exploiting the working class.: The plantation industry, especially

in Assam, is a conspicuous example of this statement. Only a strong public opinion and a progressive system of labour legislation can make the employers take an enlightened view of the question.

The most important agent for improving labour conditions is, however, the workers themselves. As they are the actual sufferers, it is they who can really ameliorate their conditions. Both public opinion and State intervention have their limits. Most of the employers will not part with their profits and privileges unless they are forced to do it under the pressure of the workers' demand. But in order to be in a position to make an effective demand and ameliorate their conditions, the workers must be intelligent enough, and must know how to organise themselves for concerted action.

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As a result of the national awakening, workers even on plantations, however, have been giving up the century-old inertia and inactivity, and have been realising the significance of their existence and the value of their service to society. The growing conflict between themselves

and the employers has also been making them self-conscious. What they need is leadership for mobilising their activities into organisations.

Labour organisation is essential, both for the benefit of the labourers themselves and for that of society. That the planters are opposed to such organisations among their workers can be easily understood. The workers on tea gardens in Assam have been until recently employed under the indenture system or penal sanction, and their status was scarcely better than that of the serfs. To receive them on equal terms, through their organisations, could scarcely be expected all at once. Moreover, labour organisation is bound to lead to a demand for shorter hours, higher wages, and better housing, which would mean lower profits. But labour organisation is not without benefit to the planters themselves. It is only through the organisation that they can acquaint themselves with the real grievances of the workers, thus removing misunderstanding and frequent riots and assaults on the one hand, and gaining their confidence on the other.

It is, however, improbable that the planters themselves will encourage the growth of labour organisations, specially by outside influence. The first step in this direction must, therefore, be taken by the State in providing, by legislation, some kind of workers' council, the members of which should be elected by the workers themselves in each garden. The object of the council should be to negotiate directly with the management on all important questions concerning the working and living conditions. In addition to these plantation or local

councils, there should also be district, provincial, and even national councils of plantation labour. They should also be brought into existence by legislative measures, that is, by giving the plantation or local councils representation in District Boards, Provincial Legislative Councils, and the National Legislative Assembly. The local councils should appoint the district councils, and the latter the provincial council, and so on. Moreover, the plantation labourers must have representation in the International Labour Conference, which can be done by giving their councils power to nominate their representative either as an adviser or a delegate, though such representation may be made directly through the All-India Trade Union Federation.

## 2. CONCLUDING REMARKS

One of the most important industries in India to-day is plantation, in which has been invested 54 crores of rupees,[1] and the products of which form about one-tenth in value of the total export trade of the country. The plantation system affords to India a great opportunity for developing the waste and neglected areas in the hills and jungles into orchards, gardens and fields for the production of such articles as flowers, fruits, honey, tea, coffee, and rubber, and thus increasing national wealth.

Equally important are the plantation industries for developing industrial enterprise and mobilising capital resources for productive purposes. Plantations were started

[1] Including 12'86 crores of rupees in India and 30.56 million pounds sterling outside.

by foreign enterprise, and are still mostly financed and managed by foreigners, but indigenous enterprise and capital have already begun to pour in, and will certainly increase with the nationalisation of the Government and the growth of the policy of national economy.

The most important effect of the growth of plantation industries will be the creation of a new outlet for the employment of India's vast labour forces, including both technical knowledge and other forms of skilled and unskilled labour. The creation of new industrial enterprises and the extension of the present industrial opportunities are the only ways of solving the question of increasing unemployment and under-employment among India's growing population.

The first step in the development of the plantation industries is the establishment of a Department of Agriculture under a Responsible Minister in the new constitutions of both the Central and Provincial Governments. A country in which about three quarters of the people depend upon agriculture can not afford to neglect having a Department of Agriculture. A division should also be created for plantation industries, both because of its importance to the national economy of the country, and also because of its technical nature. One of the functions of this division of plantation industries should be to establish experimental stations for research and education in different parts of the country, and the work of the Indian Tea Association and the United Planters' Association in Southern India may serve as an example.

While the encouragement of plantation industries should receive due attention, the most important work of the State in this connection will be the improvement of the recruiting, working and living conditions of the labourers. The plantations have been the source of the suffering and degradation of a large number of the Indian population. "Our view is that," say Messrs. Purcell and Hallsworth, "despite all that has been written, the tea-gardens of Assam are virtually slave plantations, and in Assam tea, the sweat, hunger and despair of a million Indians enter year by year."[1] This observation, which brought in protests from the tea planters, might be said to be somewhat exaggerated ; but the substance of truth in the statement cannot be denied. This remark was made after the abolition of the indenture system, and after the amelioration of the conditions by legislative measures for fifty years. What the conditions were when unlicensed contractors recruited the labour supply and marketed them to the highest bidders among Assam planters can be better imagined than described.

While the legislative measures and welfare work already referred to might ameliorate the recruiting, working and living conditions, the real solution of the problem lies in elevating the social, political and industrial status of the Indian masses. It is their colossal ignorance, abject poverty and utter helplessness which have made them subject to exploitataion. These can be removed

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[1] *Report on Labour Conditions in India*, by A. A, Purcell, M. P., and J. Hallsworth, British Trades Union Congress Delegation to India. London, 1928. p. 36.

only in the following ways : namely, first, the introduction of free and compulsory education, both general and vocational ; second, the removal of all barriers to social equality *e.g.*, the caste system and untouchability ; third, the granting of universal suffrage to all men and women ; and fourth, the development of industrial enterprise and creation of new industrial opportunities, where men and women, as intelligent, efficient and independent labourers, can find employment and can freely make a favourable bargain for their own welfare as well as that of society of which they are a part.

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